



**SPECIAL CITY COUNCIL WORKSESSION  
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM  
JANUARY 13, 2015  
6:00 PM**

Call to order

1. Discussion regarding 66<sup>th</sup> Street Intersections (Council Memo No. 3)

Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



**REGULAR CITY COUNCIL MEETING  
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS  
JANUARY 13, 2015  
7:00 PM**

**INTRODUCTORY PROCEEDINGS**

Call to order

Oath of office to Richfield Mayor Debbie Goettel.

Oath of office to Richfield City Council Member at-Large Michael Howard.

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

Pledge of Allegiance

Approval of the minutes of the (1) Special City Council Closed Executive Session of December 9, 2014; (2) Special City Council Worksession of December 9, 2014; (3) Regular City Council Meeting of December 9, 2014; and (4) Special City Council Meeting of December 15, 2014.

**PRESENTATIONS**

1. Introduction of recently promoted Richfield Deputy Director of Public Safety/Deputy Police Chief Mike Koob.
2. Introduction of recently promoted Richfield Police Lieutenant Joe Griffin.
3. Swearing-in of Richfield Police Officer Tianna Hadjiyiannis.

**COUNCIL DISCUSSION**

4. Hats off to hometown hits

**AGENDA APPROVAL**

5. Approval of the agenda.
6. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
  - A. Consideration of the approval of resolutions designating official depositories for the City of Richfield for 2015, including the approval of collateral.

Staff Report No. 1
  - B. Consideration of the approval of a resolution authorizing the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.

Staff Report No. 2
  - C. Consideration of the approval of a designation of an Acting City Manager for 2015.

Staff Report No. 3

- D. Consideration of the approval of a resolution designating an official newspaper for 2015.

Staff Report No. 4

- E. Consideration of the approval of a resolution granting a subdivision waiver, allowing the division of 6325 Girard Avenue (a 120-foot wide lot) into a 105-foot lot and a 15-foot remnant which will be combined with the adjacent 40-foot wide property to the north (6319 Girard Avenue), creating a 55-foot wide lot.

Staff Report No. 5

- F. Consideration of the approval of Visual Quality Guidelines for road reconstruction projects as recommended by the Community Services and Transportation Commissions.

Staff Report No. 6

- G. Consideration of the approval of ratification of Change Order 2 in the amount of \$99,592.00 and Change Order 3 in the amount of \$30,288.00 to Belair Builders, Inc. for the Taft Lake/Legion Lake Water Quality Improvement Project.

Staff Report No. 7

7. Consideration of items, if any, removed from Consent Calendar

**PUBLIC HEARINGS**

8. Public hearing for the consideration of the issuance of a new On Sale Wine license for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.

Staff Report No. 8

**PROPOSED ORDINANCES**

9. Consideration of the second reading of an amendment to the City's Zoning Ordinance and a Resolution approving summary publication of said ordinance. The proposed amendment will clarify and enhance regulations related to uses with drive-up window or teller service in the Mixed Use Districts.

Staff Report No. 9

10. Consideration of the second reading of an amendment to the City's Zoning Ordinance and a resolution approving summary publication of said ordinance. The proposed ordinance would amend the way in which the City administers odor control requirements for commercial kitchens.

Staff Report No. 10

**RESOLUTIONS**

11. Disciplinary hearing and consideration of a resolution regarding civil enforcement for Mi Ama Mexican Grocery & Restaurant, 813 E. 66th St., that recently underwent tobacco compliance checks conducted by Richfield Public Safety staff, and failed by selling tobacco to underage youth.

Staff Report No. 11

**OTHER BUSINESS**

12. Consideration of designating representatives to serve as the 2015 liaisons to various metropolitan agencies and City commissions.

Staff Report No. 12

13. Discussion regarding City Council attendance at the 2015 National League of Cities (NLC) Conferences.

Staff Report No. 13

14. Consideration of the designation of a Mayor Pro Tempore for 2015.

Staff Report No. 14

15. Consideration of the City Council's confirmation of the Mayor's appointment of an Housing and Redevelopment Authority (HRA) Commissioner.

Staff Report No. 15

**CITY MANAGER'S REPORT**

16. City Manager's Report

## **CLAIMS AND PAYROLLS**

### 17. Claims and payrolls

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

### 18. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

January 8, 2015

Council Memorandum No. 3

The Honorable Mayor  
and  
Members of the City Council

Subject: January 13, 2015 Worksession – 66<sup>th</sup> Street Intersections

Council Members:

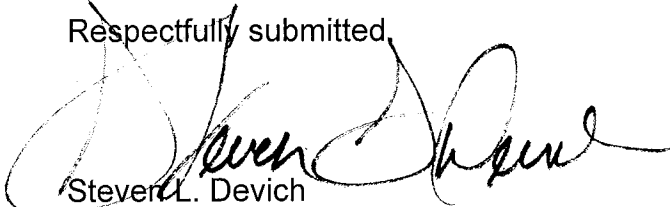
At the upcoming worksession discussion will continue regarding the performance of proposed roundabouts along 66<sup>th</sup> Street when compared to signalized intersections.

With the technical recommendation from the Transportation Commission recommending roundabouts along the corridor, staff is also recommending a review of the Guiding Principles and how they relate to the choice of intersections along the corridor. To accommodate this effort the intersections will be discussed with key stakeholders and commissions prior to Council consideration of the intersection choice, expected to occur at the February 24, 2015 Council Meeting. At a minimum, this process includes the following:

- Meet with impacted commercial properties (Ongoing)
- Planning Commission Worksession (Jan 12)
- Council Worksession (Jan 13)
- Community Services Commission Meeting (Jan 20)
- Planning Commission Meeting (Jan 26)
- Arts Commission (Feb 5)

Please contact Mike Eastling, Public Works Director, at 612-861-9792 for further discussion.

Respectfully submitted,



Steven L. Devich  
City Manager

SLD:MJE  
Email: Department Directors  
Assistant City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Special City Council Closed Executive Session

**December 9, 2014**

#### CALL TO ORDER

The Closed Executive Session was called to order by Mayor Goettel at 6:03 p.m. in the Babcock Conference Room.

#### ROLL CALL

*Council Members Present:* Debbie Goettel, Mayor; Pat Elliott, Sue Sandahl; Edwina Garcia; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager.

The purpose of the Closed Executive Session was to discuss the City Manager's annual performance evaluation.

The Closed Executive Session was convened pursuant to M.S. 13D.05.

#### ADJOURNMENT

The Closed Executive Session was adjourned by unanimous consent at 6:50 p.m.

Date Approved: January 13, 2015.

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special City Council Worksession

December 9, 2014

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:50 p.m. in the Bartholomew Room.

*Council Members Present:* Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Kristin Asher, Assistant Public Works Director; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

### Item # 1

### DISCUSSION REGARDING 66<sup>TH</sup> STREET INTERSECTIONS

Transportation Engineer Pearson discussed the intersection control recommendation for Nicollet and Lyndale Avenues and the I-35W ramps. He stated the Transportation Commission recommendation was to have roundabouts at all three intersections.

The Mayor requested that due to time constraints this evening, a worksession should be held as soon as possible to continue this discussion.

### ADJOURNMENT

The meeting was adjourned by unanimous consent at 7:15 p.m.

Date Approved: January 13, 2015

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Debbie Goettel  
Mayor

\_\_\_\_\_  
Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Regular Meeting

**December 9, 2014**

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:18 p.m. in the Council Chambers.

***Council Members Present:***

Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

***Staff Present:***

Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Chris Regis, Finance Manager; Kristin Asher, Assistant Public Works Director; Jeff Pearson, Transportation Engineer; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

#### OPEN FORUM

None.

#### PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

#### APPROVAL OF MINUTES

M/Garcia, S/Fitzhenry to approve the minutes of the (1) Special City Council Meeting of November 25, 2014 and (2) Regular City Council Meeting of November 25, 2014.

Motion carried 5-0.

Item #1	RECOGNITION OF OUT-GOING COUNCIL MEMBER AT-LARGE SUZANNE M. SANDAHL
Council Member-at-Large Sandahl was recognized for her 16 years of service as a City Council Member.	

<b>Item #2</b>	<b>PRESENTATION BY VFW REPRESENTATIVES TO THE MIDDLE SCHOOL WINNER OF THE PATRIOT'S PEN AWARD</b>
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VFW representatives presented the award.

<b>Item #3</b>	<b>PRESENTATION OF THE APWA'S MN CHAPTER PUBLIC WORKS DIRECTOR OF THE YEAR AWARD TO RICHFIELD PUBLIC WORKS DIRECTOR MIKE EASTLING</b>
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An APWA representative presented the award.

<b>Item #4</b>	<b>RICHFIELD FOUNDATION AWARDING OF GRANTS</b>
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Richfield Foundation representatives presented the grants.

<b>Item #5</b>	<b>PRESENTATION OF THE VISUAL QUALITY GUIDELINES</b>
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Jack Bros, Avenue Design Partner, provided an overview the guidelines.

<b>Item #6</b>	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"><li>• Schedule Special City Council Meeting for commission interviews</li><li>• Hats Off to Hometown Hits</li></ul>
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The City Council scheduled advisory commission interviews for Saturday, January 24, 2015.

Council Member Elliott announced a New Year's Eve Gala at the American Legion.

Council Member Garcia announced the League of Women Voters is sponsoring a forum on March 14, 2015 regarding adolescent mental health.

<b>Item #7</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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M/Garcia, S/Fitzhenry to approve the agenda.

Motion carried 5-0.

<b>Item #8</b>	<b>CONSENT CALENDAR</b>
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Mayor Goettel removed Item I, El Jalapeno off-sale license to sell 3.2 percent malt liquor.

- A. Consideration of the approval of setting a public hearing to be held on January 13, 2015, for the consideration of the issuance of a new on-sale wine license for Davanni's, Inc. d/b/a Davanni's Pizza & Hot Hoagies, 6345 Penn Avenue South. S.R. No. 218
- B. Consideration of the approval of a resolution allowing the acceptance of monetary support solicited for the Public Safety/Police Department in support of Safety Day, Nite to Unite, Unity in the Community and Heroes and Helpers. S.R. No. 219

## RESOLUTION NO. 11009

RESOLUTION AUTHORIZING RICHFIELD PUBLIC SAFETY/POLICE DEPARTMENT TO  
ACCEPT DONATIONS FROM THE LISTED AGENCIES, BUSINESSES AND PRIVATE  
INDIVIDUALS FOR DESIGNATED USES

This resolution appears as Resolution No. 11009.

- C. Consideration of the approval of a resolution for an amendment to the Co-operative Agreement with the Hennepin County Violent Offender Task Force for the provision of liability insurance for the Task Force members through the League of Minnesota Cities Trust. S.R. No. 220

## RESOLUTION NO. 11010

RESOLUTION AUTHORIZING RESOLUTION AUTHORIZING RICHFIELD POLICE  
DEPARTMENT'S PARTICIPATION IN THE HENNEPIN COUNTY VIOLENT OFFENDER  
TASK FORCE

This resolution appears as Resolution No. 11010.

- D. Consideration of the approval of the first reading of an amendment to the City's Zoning Ordinance. The proposed amendment will clarify and enhance regulations related to uses with drive-up window or teller service in the Mixed Use Districts. S.R. No. 221
- E. Consideration of the approval of the first reading of an amendment to the City's Zoning Ordinance. The proposed ordinance would amend the way in which the City administers odor control requirements for commercial kitchens. S.R. No. 222
- F. Consideration of the approval of a resolution authorizing acceptance of a grant received by the City of Richfield from The Toro Company's Giving Program and the Minnesota Twin's Community Fund. S.R. No. 223

## RESOLUTION NO. 11011

RESOLUTION AUTHORIZING RESOLUTION AUTHORIZING ACCEPTANCE OF A  
GRANT RECIEVED BY THE CITY OF RICHFIELD FROM THE TORO COMPANY AND  
THE MINNESOTA TWINS

This resolution appears as Resolution No. 11011.

- G. Consideration of the approval of the purchase of a street sweeper in 2015 from MacQueen Equipment Inc. in the amount of \$179,691.00 including trade-in for use by the Street Maintenance Division. S.R. No. 224
- H. Consideration of the approval of a contract with Thatcher Company of Montana for the purchase of 200 tons of Sodium Carbonate (Soda Ash) in the amount of \$68,912.00 (\$344.56/ton) for water treatment in 2015. S.R. No. 225
- I. Consideration of the approval of the renewal of the 2015 licenses for On-Sale 3.2 Percent Malt Liquor, Off-Sale 3.2 Percent Malt Liquor, taxi companies, and rental of trailer and trucks doing business in Richfield. S.R. No. 226

Licenses to Operate in Richfield

- Airport Taxi - 6 vehicles
- A New Star Taxi and Limousine Service - 5 vehicles
- Suburban Taxi - 5 vehicles
- Gold Star Taxi - 27 vehicles
- Continental Taxi, LLC. - 5 vehicles
- American Travel - 5 vehicles
- Twin Cities Airport Taxi - 5 vehicles
- Twin Cities Taxi & Town Car – 5 vehicles
- Latino Americano Express (Express Taxi) - 9 vehicles
- 10-10 Taxi - 10 vehicles

- Latino Express - 6 vehicles

Licenses to operate Trailer and Truck Rental

- Paul's Rentals & Sales: Trailer and truck rental.

Licenses to sell 3.2 percent Malt Liquor

- Portland Food Mart - Off-Sale
- Rainbow Foods - Off-Sale
- Richfield U.S. (Gas station 67th& Penn) - Off-Sale
- SuperAmerica #4186 - Off-Sale
- SuperAmerica #4188 - Off-Sale
- SuperAmerica #4191 - Off-Sale
- SuperAmerica #4615 - Off-Sale
- Target Corporation - Off-Sale
- Sandy's Tavern - On-Sale
- Vina Restaurant - On-Sale
- Davanni's - On-Sale
- Champps (Ice Arena location) - On-Sale

M/Goettel, S/Fitzhenry to approve the Consent Calendar, as amended.

Motion carried 5-0.

<b>Item #9</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #10</b>	<b>CONTINUATION OF THE PUBLIC HEARING AND CONSIDERATION OF THE SECOND READING OF A TRANSITORY ORDINANCE AUTHORIZING THE SALE OF REMNANT PARCELS LOCATED AT 6245 AND 6301 BLOOMINGTON AVENUE SOUTH AND RESOLUTIONS AUTHORIZING SUMMARY PUBLIC OF THE ORDINANCES S.R. NO. 207</b>
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Mayor Goettel presented Staff Report No. 207.

M/Sandahl, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Goettel, S/Fitzhenry that this constitutes the second reading of Bill No. 2014-8, Transitory Ordinance No. 18.96 and Bill No. 2014-9, Transitory Ordinance No. 18.97 authorizing the sale of remnant parcels located at 6245 and 6301 Bloomington Avenue South; that they be published in the official newspaper, and that they be made part of these minutes, and that the following resolutions be adopted and that they be made part of these minutes:

RESOLUTION NO. 11012

RESOLUTION APPROVING SUMMARY PUBLICATION OF  
AN ORDINANCE AUTHORIZING THE SALE OF LAND AT 6245  
BLOOMINGTON AVENUE SOUTH BY THE CITY OF RICHFIELD

This resolution appears as Resolution No. 11012.

## RESOLUTION NO. 11013

RESOLUTION APPROVING SUMMARY PUBLICATION OF  
AN ORDINANCE AUTHORIZING THE SALE OF LAND AT 6301  
BLOOMINGTON AVENUE SOUTH BY THE CITY OF RICHFIELD

This resolution appears as Resolution No. 11013.

Motion carried 5-0.

<b>Items #11-12</b>	<b>PUBLIC HEARINGS REGARDING THE 2015 PAWNBROKER AND SECONDHAND GOODS DEALER LICENSE RENEWALS:</b> <b>11. METRO PAWN &amp; GUN, INC., 7529 LYNDAL AVENUE S.R. NO. 228</b> <b>12. UNIVERSITY CASH COMPANY, INC., D/B/A AVI'S PAWN AND JEWELRY, 6414 NICOLLET AVENUE S.R. NO. 229</b>
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Council Member Garcia presented Staff Report Nos. 228 and 229.

Mark Nichols, Metro Pawn, was available to answer questions.

M/Garcia, S/Goettel to close public hearing.

Motion carried 5-0.

M/Garcia, S/Goettel to approve the renewal of the following 2015 Pawnbroker and  
Secondhand Goods Dealer Licenses:

- Metro Pawn & Gun, Inc., 7529 Lyndale Avenue.
- University Cash Company, LLC d/b/a Avi's Pawn and Jewelry, 6414 Nicollet Avenue.

Motion carried 5-0.

<b>Items #13-14</b>	<b>PUBLIC HEARINGS REGARDING THE 2015 CLUB ON-SALE INTOXICATING AND SUNDAY LIQUOR LICENSE RENEWALS:</b> <b>13. FRED BABCOCK V.F.W. POST NO. 5555, INC. D/B/A FOUR NICKELS FOOD &amp; DRINK; 6715 LAKE SHORE DRIVE S.R. NO. 230</b> <b>14. MINNEAPOLIS-RICHFIELD AMERICAN LEGION POST 435, 6501 PORTLAND AVENUE S.R. NO. 231</b>
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Council Member Garcia presented Staff Report Nos. 230 and 231.

M/Fitzhenry, S/Garcia to close public hearing.

Motion carried 5-0.

M/Garcia, S/Goettel to approve the renewal of the following 2015 club on-sale intoxicating  
and Sunday liquor licenses:

- Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink, 6715  
Lakeshore Drive.
- Minneapolis-Richfield American Legion Post 435, 6501 Portland Avenue.

Motion carried 5-0.



<b>Items #15-23</b>	<p><b>PUBLIC HEARINGS REGARDING 2015 ON-SALE WINE AND 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS:</b></p> <p>15. CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, D/B/A CHIPOTLE MEXICAN GRILL, 7644 LYNDALE AVENUE S.R. NO. 232</p> <p>16. THOMPSON'S FIRESIDE PIZZA, INC., D/B/A FIRESIDE PIZZA, 6736 PENN AVENUE S.R. NO. 233</p> <p>17. PATRICK'S FRENCH BAKERY, INC. D/B/A PATRICK'S BAKERY &amp; CAFÉ, 2928 WEST 66<sup>TH</sup> STREET S.R. NO. 234</p> <p>18. JOY'S PATTAYA THAI RESTAURANT, LLC, D/B/A JOY'S PATTAYA THAI RESTAURANT, 7545 LYNDALE AVENUE S.R. NO. 235</p> <p>19. JOHN E. POWERS &amp; ASSOCIATES, INC. D/B/A LARIAT LANES, 6320 PENN AVENUE S.R. NO. 236</p> <p>20. THE NOODLE SHOP CO.-COLORADO, INC., D/B/A NOODLES AND COMPANY, 1732 EAST 66<sup>TH</sup> STREET S.R. NO. 237</p> <p>21. THE NOODLE SHOP CO.-COLORADO, INC., D/B/A NOODLES AND COMPANY, 7630 LYNDALE AVENUE S.R. NO. 238</p> <p>22. HENRY THOU D/B/A RED PEPPER CHINESE RESTAURANT, 2910 66<sup>TH</sup> STREET WEST S.R. NO. 239</p> <p>23. LAST CALL OPERATING CO. II. INC. D/B/A CHAMPPS AMERICANA, LOCATED AT THE RICHFIELD ICE ARENA, 636 66<sup>TH</sup> STREET EAST S.R. NO. 240</p>
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Council Member Garcia presented Staff Report Nos. 232 through 240.

M/Goettel, S/Fitzhenry to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Goettel to approve the renewal of the following 2015 on-sale wine and 3.2 percent malt liquor licenses:

- Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 7644 Lyndale Avenue South.
- Thompson's Fireside Pizza, Inc. d/b/a Fireside Pizza, 6736 Penn Avenue South.
- Patrick's French Bakery, Inc. d/b/a Patrick's Bakery & Cafe, 2928 66th Street West.
- Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, 7545 Lyndale Avenue South.
- John E. Powers and Associates d/b/a Lariat Lanes, 6320 Penn Avenue South.
- The Noodle Shop, Co. - Colorado, Inc. d/b/a Noodles & Company, 1732 66th Street East.
- The Noodle Shop, Co. - Colorado, Inc. d/b/a Noodles & Company, 7630 Lyndale Avenue South.
- Henry Thou d/b/a Red Pepper Chinese Restaurant, 2910 66th Street West.
- Last Call Operating Co. II, Inc. d/b/a Champps Americana, located at the Richfield Ice Arena, 636 66th Street East.

Motion carried 5-0.

<b>Items #24-29</b>	<p><b>PUBLIC HEARINGS REGARDING 2015 ON-SALE INTOXICATING AND SUNDAY LIQUOR LICENSE RENEWALS:</b></p> <p><b>24. THE FRENCHMAN'S PUB, 1400 EAST 66TH STREET (INCLUDES OPTIONAL 2 A.M. CLOSING) S.R. NO. 241</b></p> <p><b>25. PAISAN INCORPORATED, D/B/A KHAN'S MONGOLIAN BARBEQUE, 500 EAST 78TH STREET S.R. NO. 242</b></p> <p><b>26. PIZZA LUCE VII, INC. D/B/A PIZZA LUCE, 800 WEST 66TH STREET (INCLUDES OUTSIDE SERVICE AND OPTIONAL 2 A.M. CLOSING) S.R. NO. 243</b></p> <p><b>27. LAST CALL OPERATING CO. II, INC. D/B/A CHAMPPS AMERICANA, 790 WEST 66TH STREET (INCLUDES OPTIONAL 2 A.M. CLOSING) S.R. NO. 244</b></p> <p><b>28. FINANCIAL GUIDANCE, INC. D/B/A FOUR POINTS BY SHERATON, 7745 LYNDALE AVENUE S.R. NO. 245</b></p> <p><b>29. WILTSHIRE RESTAURANTS, LLC, D/B/A HOULIHAN'S RESTAURANT &amp; BAR, 6601 LYNDALE AVENUE (INCLUDES OUTSIDE SERVICE) S.R. NO. 246</b></p>
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Council Member Elliott presented Staff Report Nos. 241 through 246.

M/Sandahl, S/Garcia to close the public hearing.

Motion carried 5-0.

M/Elliott, S/Goettel to approve the renewal of the following 2015 on-sale intoxicating and Sunday liquor licenses:

- Frenchman's Pub, Inc. d/b/a Frenchman's, 1400 66th Street East (with optional 2 a.m. closing).
- Paisan Incorporated, d/b/a Khan's Mongolian Barbeque, 500 78th Street East.
- Pizza Luce VII, Inc. d/b/a Pizza Luce, 800 66th Street West (with outside service and optional 2 a.m. closing).
- Last Call Operating Co. II, Inc. d/b/a Champps Americana, 790 West 66th Street (with optional 2 a.m. closing).
- Financial Guidance, Inc. d/b/a Four Points by Sheraton, 7745 Lyndale Avenue South.
- Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, 6601 Lyndale Avenue South (with outside service).

Motion carried 5-0.

<b>Items #30-32</b>	<b>PUBLIC HEARINGS REGARDING 2015 ON-SALE INTOXICATING AND SUNDAY LIQUOR LICENSE RENEWALS:</b> 30. EL TEJABAN MEXICA GRILL, LLC D/B/A EL TEJABAN MEXICAN RESTAURANT, 6519 NICOLLET AVENUE SOUTH (INCLUDES OPTIONAL 2 A.M. CLOSING) S.R. NO. 247 31. DON PABLO'S OPERATING, LLC D/B/A DON PABLO'S, 980 78 <sup>TH</sup> STREET WEST S.R. NO. 248 32. LYN 65, LLC D/B/A LYN 65 KITCHEN & BAR, 6439 LYNDALE AVENUE SOUTH S.R. NO. 249
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Council Member Fitzhenry presented Staff Report Nos. 247 through 249.

M/Goettel, S/Fitzhenry to close the public hearing.

Motion carried 5-0.

M/Fitzhenry, S/Sandahl to approve the renewal of the following 2015 on-sale intoxicating and Sunday liquor licenses:

- El Tejaban Mexica Grill, LLC d/b/a El Tejaban Mexican Restaurant, 6519 Nicollet Avenue South (with optional 2 a.m. closing).
- Don Pablo's Operating, LLC d/b/a Don Pablo's, 980 78th Street West.
- Lyn 65, LLC d/b/a Lyn 65 Kitchen & Bar, 6439 Lyndale Avenue South.

Motion carried 5-0.

<b>Item #33</b>	<b>CONSIDERATION OF THE SECOND READING OF AN ORDINANCE INCREASING THE NUMBER OF ON-SALE WINE LICENSES IN THE CITY FROM TWELVE (12) TO SEVENTEEN (17) S.R. NO. 250</b>
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Council Member Sandahl presented Staff Report No. 250.

M/Sandahl, S/Fitzhenry that this constitutes the second reading of Bill No. 2014-10, amending the Richfield City Code, increasing the number of on-sale wine licenses in the City from twelve (12) to seventeen (17), that it be published in the official newspaper, and that it be made part of these minutes.

Motion carried 5-0.

<b>Item #34</b>	<b>CONSIDERATION OF THE SECOND READING OF AN ORDINANCE INCREASING THE NUMBER OF ON-SALE 3.2 PERCENT MALT LIQUOR LICENSES IN THE CITY FROM FIFTEEN (15) TO TWENTY (20) S.R. NO. 251</b>
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Council Member Sandahl presented Staff Report No. 251.

M/Sandahl, S/Fitzhenry that this constitutes the second reading of Bill No. 2014-11, amending the Richfield City Code, increasing the number of on-sale 3.2 percent malt liquor licenses in the City from fifteen (15) to twenty (20), that it be published in the official newspaper, and that it be made part of these minutes.

Motion carried 5-0.

<b>Item #35</b>	<b>CONSIDERATION OF THE SECOND READING OF AN AMENDMENT TO THE CITY'S ZONING ORDINANCE. THE PROPOSED AMENDMENT WILL ADD "MUNICIPAL PARKING LOTS" TO THE LIST OF PERMITTED USES IN THE PENN AVENUE OVERLAY DISTRICT. CONSIDERATION OF A RESOLUTION TO ALLOW SUMMARY PUBLICATION OF THE PROPOSED ORDINANCE. S.R. NO. 252</b>
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Council Member Sandahl presented Staff Report No. 252

M/Sandahl, S/Goettel that this constitutes the second reading of Bill No. 2014-12, amending Subsection 541.21, Subdivision 3 of the Richfield City Code to allow municipally-owned parking lots in the Penn Avenue Corridor Overlay District, that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11014

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE  
AMENDING SUBSECTION 541.21, SUBDIVISION 3 OF THE  
RICHFIELD CITY CODE TO ALLOW MUNICIPALLY-OWNED PARKING LOTS IN THE  
PENN AVENUE CORRIDOR OVERLAY DISTRICT

Motion carried 5-0. This resolution appears as Resolution No. 11014.

<b>Item #36</b>	<b>CONSIDERATION OF RESOLUTIONS SUPPORTING DESIGN CONCEPTS AND PROPOSED VARIANCES RECOMMENDED FOR THE RECONSTRUCTION OF 66<sup>TH</sup> STREET S.R. NO. 253</b>
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Mayor Goettel presented Staff Report No. 253.

Transportation Engineer Pearson presented an overview of the proposed layout process and the Transportation Commission and City staff recommended design concepts.

Sean Hayford Oleary, 7229 Second Avenue, expressed support for the 4B design with the cycle tracks.

Matt Steele, 4412-18<sup>th</sup> Avenue, Minneapolis, spoke in support of the 4B design with the cycle tracks because he is a regular user of 66<sup>th</sup> Street and the road needs to be safer.

Ted Weidenbach, 7038 Irving Avenue, requested the City Council approve the Transportation Commission and City staff design recommendations.

David Vrieze Daniels, 1812 West 66<sup>th</sup> Street, spoke in support of the 4B design.

Jerri Haaven, 6625 Knox Avenue, expressed her concerns regarding park security and the impacts to her home.

Haydn Brockman, 6605 Morgan Avenue, expressed her concerns regarding the displacing of 18 homes and the property tax impacts.

Vicki Forslund, speaking for Sylvia Jesse, 6612 Logan Avenue, stated she did not support the project and did not want any roundabouts.

Mike Tegeder, 6540 James Avenue, stated the sidewalks are not safe but 66<sup>th</sup> Street should not be made a speed corridor.

Erin Vrieze Daniels, 1812 West 66<sup>th</sup> Street, spoke in support of the 4B design.

David Gepner, 6845 Penn Avenue, encouraged the City Council to do the right thing by supporting the Transportation Commission and City staff recommendation.

Kristin Shotwell, 1806 West 66<sup>th</sup> Street, stated 66<sup>th</sup> Street is dangerous but should not be made into a speedway.

Brian Harvey, 6607 Knox Avenue, stated he recently purchased his home and was not aware of the project resulting in losing his neighbors to the north. He said he did not support the 4B design.

Steve McGinness, 6320 Second Avenue, stated it is a challenge to narrow the streets because traffic is then pushed to the neighborhoods.

Mayor Goettel stated that the 4B design does not slow traffic enough and that she is an advocate for returning to the 3-lane option and painting the trail to see if it works. The quality of life and pedestrian and bicycle safety should be considered as well as the impacts of taking of 18 homes.

Council Member Elliott stated he did not endorse the 4B design because it did not decrease traffic. He expressed support for the striping of a 3-lane. He expressed concern regarding the use of eminent domain in the taking of the 18 homes.

Council Member Sandahl expressed support for the 4B design as a long-term decision and acknowledged it is very difficult but it was the best solution for the City and all modes of transportation. She stated the 3-lane option will not work due to the high volume of traffic. She added that eminent domain has not been completed because residents have worked with the City.

Council Member Garcia stated support for the Transportation Commission and City staff recommendation because it is a long-term decision for the whole community.

Council Member Fitzhenry stated it is a livability issue for everyone and that the 4B concept makes it easier for the majority of homes. He said he is not convinced a 3-lane option could work.

Maury Hooper, Hennepin County, reviewed the crash data analysis.

The Mayor called for a roll call vote.

M/Goettel, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

#### RESOLUTION NO. 11015

RESOLUTION GRANTING APPROVAL OF COUNTY STATE AID HIGHWAY (CSAH) 53  
PRELIMINARY LAYOUT LOW IMPACT CONCEPT (XERXES TO PENN)  
PRELIMINARY LAYOUT CONCEPT 4B (PENN TO GIRARD)  
HENNEPIN COUNTY PROJECT NO. 1011

Motion carried 3-2. (Goettel and Elliott oppose) This resolution appears as Resolution No. 11015.

M/Goettel, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11016

RESOLUTION SUPPORTING HENNEPIN COUNTY IN SEEKING VARIANCES FROM THE MINNESOTA DEPARTMENT OF TRANSPORTATION (MNDOT) FOR DESIGN OF CURB REACTION DISTANCE, LANE WIDTH AND BICYCLE PATH CLEAR ZONE FOR COUNTY STATE AID HIGHWAY (CSAH) 53 PRELIMINARY LAYOUT – LOW IMPACT (WEST OF PENN AVENUE) HENNEPIN COUNTY PROJECT NO. 1011

Motion carried 5-0. This resolution appears as Resolution No. 11016.

Item #37	<b>CONSIDERATION OF RESOLUTIONS APPROVING THE 2014 REVISED/2015 PROPOSED BUDGET AND TAX LEVY AND RELATED RESOLUTIONS S.R. NO. 254</b>
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Council Member Sandahl presented Staff Report No. 254.

M/Sandahl, S/Goettel that the following resolutions be adopted and that they be made part of these minutes:

RESOLUTION NO. 11017

RESOLUTION ADOPTING A PROPOSED BUDGET AND TAX LEVY FOR THE YEAR 2015

This resolution appears as Resolution No. 11017.

RESOLUTION NO. 11018

RESOLUTION AUTHORIZING BUDGET REVISIONS

This resolution appears as Resolution No. 11018.

RESOLUTION NO. 11019

RESOLUTION AUTHORIZING REVISION OF 2014 BUDGET OF VARIOUS DEPARTMENTS

This resolution appears as Resolution No. 11019.

RESOLUTION NO. 11020

RESOLUTION AUTHORIZING ADJUSTMENT TO CITY'S MILEAGE REIMBURSEMENT RATE TO CONFORM TO INTERNAL REVENUE SERVICE STATUTORY MILEAGE REIMBURSEMENT RATE

This resolution appears as Resolution No. 11020.

RESOLUTION NO. 11021

RESOLUTION ADOPTING THE 2015 CAPITAL IMPROVEMENT BUDGET

This resolution appears as Resolution No. 11021.

RESOLUTION NO. 11022

RESOLUTION ADOPTING THE 2016-2019 CAPITAL IMPROVEMENT PROGRAM

This resolution appears as Resolution No. 11022.

RESOLUTION NO. 11023

RESOLUTION RELATING TO PURCHASING PRACTICES IN THE CITY OF RICHFIELD  
AMENDING RESOLUTION NO. 10879

This resolution appears as Resolution No. 11023.

RESOLUTION NO. 11024

RESOLUTION ESTABLISHING WASTEWATER SERVICE RATES AND CHARGES,  
WATER RATES AND CHARGES, SPECIAL WATER SERVICE CHARGES, STORM  
SEWER RATES AND CHARGES, AND 6.5% PENALTY ON PAST DUE ACCOUNTS

This resolution appears as Resolution No. 11024.

RESOLUTION NO. 11025

RESOLUTION ESTABLISHING A PUBLIC WORKS ON-CALL COMPENSATION POLICY

This resolution appears as Resolution No. 11025.

RESOLUTION NO. 11026

RESOLUTION RELATING TO THE 2014 GENERAL SERVICES  
SALARY COMPENSATION PLAN

This resolution appears as Resolution No. 11026.

RESOLUTION NO. 11027

RESOLUTION RELATING TO THE 2014 MANAGEMENT  
SALARY COMPENSATION PLAN

This resolution appears as Resolution No. 11027.

RESOLUTION NO. 11028

RESOLUTION RELATING TO THE 2015 GENERAL SERVICES  
SALARY COMPENSATION PLAN

This resolution appears as Resolution No. 11028.

## RESOLUTION NO. 11029

RESOLUTION RELATING TO THE 2015 MANAGEMENT  
SALARY COMPENSATION PLAN

This resolution appears as Resolution No. 11029.

## RESOLUTION NO. 11030

## RESOLUTION RELATING TO THE 2015 SPECIALIZED PAY PLAN

This resolution appears as Resolution No. 11030.

## RESOLUTION NO. 11031

RESOLUTION ESTABLISHING 2015 LICENSE, PERMIT AND MISCELLANEOUS FEES  
PURSUANT TO THE PROVISIONS OF APPENDIX D OF THE ORDINANCE CODE OF  
THE CITY OF RICHFIELD RESCINDING RESOLUTION NO. 10882

This resolution appears as Resolution No. 11031.

Motion carried-5-0.

<b>Item #38</b>	<b>SUMMARY REVIEW OF CITY MANAGER ANNUAL PERFORMANCE EVALUATION FOR 2014 AND CONSIDERATION OF A RESOLUTION AMENDING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF RICHFIELD AND CITY MANAGER STEVEN L. DEVICH S.R. NO. 255</b>
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Council Member Sandahl presented Staff Report No. 255.

Mayor Goettel provided a summary of the City Manager's performance evaluation and that the resolution amending the employment agreement should indicate a 2.25% salary adjustment effective January 1, 2015.

M/Sandahl, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

## RESOLUTION NO. 11032

RESOLUTION AMENDING THE EMPLOYMENT AGREEMENT  
BETWEEN THE CITY OF RICHFIELD AND STEVEN L. DEVICH, CITY MANAGER

Motion carried 5-0. This resolution appears as Resolution No. 11032.

Mayor Goettel presented a plaque to out-going Council Member-at-Large Sue Sandahl in recognition of her 16 years of service.

<b>Item #39</b>	<b>CITY MANAGER'S REPORT</b>
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City Manager Devich thanked the City Council for the positive performance evaluation.

<b>Item #40</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Fitzhenry, S/Sandahl that the following claims and payrolls be approved:

<b>U.S. Bank</b>		<b>12/09/14</b>
A/P Checks:236567-236914	\$	1,485,485.04
Payroll: 106346-106668	\$	538,797.01
TOTAL	\$	2,024,282.05

Motion carried 5-0.

**OPEN FORUM**

None.

**ADJOURNMENT**

The City Council open meeting was adjourned by unanimous consent at 10:17 p.m.

Date Approved: January 13, 2015

\_\_\_\_\_  
Debbie Goettel  
Mayor

\_\_\_\_\_  
Cheryl Krumholz  
Executive Coordinator

\_\_\_\_\_  
Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Special City Council Meeting

**December 15, 2014**

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:00 p.m.

#### ROLL CALL

*Members Present:* Debbie Goettel, Mayor; Sue Sandahl, Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; and Cheryl Krumholz, Executive Coordinator.

<b>Item #1</b>	<b>COUNCIL DISCUSSION – FAREWELL TO OUTGOING RICHFIELD CITY COUNCIL MEMBER-AT-LARGE SUZANNE M. SANDAHL</b>
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Mayor Goettel read a letter from Senator Amy Klobuchar acknowledging Council Member Sandahl's service to the City of Richfield.

<b>Item #2</b>	<b>CONTINUATION OF THE PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION APPROVING THE TRANSFER OF THE RICHFIELD CABLE FRANCHISE AND CHANGE OF CONTROL OF THE GRANTEE FROM COMCAST TO MIDWEST CABLE, INC. S.R. NO. 256</b>
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Mayor Goettel presented Staff Report No. 256.

Brian Grogan, Moss & Barnett, attorney representing the Southwest Suburban Cable Commission, discussed the proposed cable franchise transfer.

Mike Logan, Comcast Government Affairs, discussed the proposed transfer.

M/Goettel, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Goettel, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11033

RESOLUTION APPROVING THE TRANSFER OF THE CABLE  
FRANCHISE AND CHANGE OF CONTROL OF THE GRANTEE

Motion carried 5-0. This resolution appears as Resolution No. 11033.

**ADJOURNMENT**

The City Council meeting was adjourned by unanimous consent at 6:45 p.m.

Date Approved: January 13, 2015

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Debbie Goettel, Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



**STAFF REPORT NO. 1**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Chris Regis, Finance Manager  
DEPARTMENT DIRECTOR REVIEW: Steven L. Devich  
OTHER DEPARTMENT REVIEW: None  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of resolutions designating official depositories for the City of Richfield for 2015, including the approval of collateral.**

**EXECUTIVE SUMMARY:**

In compliance with Minnesota statutes, the City of Richfield must designate on an annual basis those financial institutions it does business with.

U.S. Bank acts as the banking institution in the City's banking arrangement with the 4M Fund.

The following resolutions for the City Council's consideration will designate U.S Bank/4M Fund as a depository of City funds, and designate certain savings and loan associations, banks, credit unions and certain financial institutions as depositories for the investment of City funds.

**RECOMMENDED ACTION:**

**By Motion: Adopt the attached resolutions designating official depositories, with the understanding that the City could not invest in any of the depositories beyond the level of insurance coverage or the pledged collateral.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

None.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- In accordance with Minnesota Statutes Section 118A.01 - 118A.06, the City of Richfield must designate financial institutions annually. The institutions must pledge the collateral over and above the amount of federal insurance, as public depositories.
- U.S. Bank acts as the banking institution in the City's banking arrangement with the 4M Fund. Monies received, checks written by the City, flow through U.S. Bank, however, at the end of each business day, any proceeds remaining in City U.S. Bank accounts are swept to the 4M Fund to be invested. Therefore, at the end of the business day the City accounts are zero, which means the collateral requirements of Minnesota Statutes Section 118A.03 are not required. Accordingly, U.S. Bank has met all other statutory requirements and should be considered as a depository for the City's Deputy Registrar, payroll and vendor accounts and all savings deposits.
- The City must also designate annually, certain savings and loan associations, banks, and credit unions as official depositories for deposit and investment of certain City funds. With approval of

these official depositories, the City will be able to deposit and invest funds in these institutions, not exceeding the federal insurance of \$250,000.

- Finally, a designation must be made for certain financial institutions as depositories for the investment of City funds for 2015. These institutions, such as investment brokerage firms, offer government securities in the manner required by law. These financial institutions include U.S. Bank, RBC Dain Rauscher, Wells Fargo Institutional Brokerage & Sales, Raymond James & Associates, Inc., Northland Securities and the 4M Fund.

C. **CRITICAL TIMING ISSUES:**

N/A

D. **FINANCIAL IMPACT:**

N/A

E. **LEGAL CONSIDERATION:**

The City is required by Minnesota Statute 118A.01 - 118A.06, to designate as a depository of funds, insured banks or thrift institutions. Any collateral so deposited is accompanied by an assignment pledged to the City in the amount specified in the attached resolutions.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could solicit other financial institutions for official depositories, but past relationships with the depositories recommended have proven satisfactory for the City.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None.

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Designate US Bank as a Depository	Resolution Letter
<input type="checkbox"/> Designate Certain S&L Associations Banks & Credit Unions as Depositories	Resolution Letter
<input type="checkbox"/> Designate Certain Financial Institutions as Depositories for the Investment of City Funds	Resolution Letter

**RESOLUTION NO.**

**RESOLUTION DESIGNATING U.S. BANK  
A DEPOSITORY OF FUNDS OF THE CITY OF RICHFIELD  
FOR THE YEAR 2015**

**BE IT RESOLVED**, by the City Council of the City of Richfield as follows:

That, in accordance with Minnesota Statutes, Section 118A.01- 118A.06, U.S. Bank be, and hereby is designated a depository of the funds of the City of Richfield, subject to modification and revocation at any time by said City, and subject to the following terms and conditions:

The said depository shall not be required to give bonds or other securities for such deposits provided that the total sum thereof shall not at any time exceed in any depository the sums for which its deposits are insured under the Acts of Congress of the United States relating to insurance of bank deposits; but that in case such deposits in any such depository shall at any time exceed such insured sum, said depository shall immediately furnish bonds or other security for such excess according to law, approved by the City Council of said City.

That said depository shall pay on demand all deposits therein; and shall pay all time deposits, at or after the end of the period for which the same shall be deposited, on demand.

**BE IT FURTHER RESOLVED**, that there shall be maintained a general account in which shall be deposited all monies from the water, sewer, storm sewer, liquor, swimming pool/ice arena, deputy register fees, City permits and other deposits not otherwise specifically provided for. The following officers or their facsimile signatures shall sign checks on this account;

STEVEN L. DEVICH, CITY MANAGER  
CHRIS REGIS, FINANCE MANAGER

**BE IT FURTHER RESOLVED**, that all funds remaining in the account at the end of each business day will be transferred from U.S. Bank to the 4M Fund where funds deposited are invested and insured.

Passed by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

\_\_\_\_\_  
Debbie Goettel, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**

**RESOLUTION DESIGNATING CERTAIN SAVING AND LOAN ASSOCIATIONS,  
BANKS AND CREDIT UNIONS AS DEPOSITORIES FOR THE DEPOSIT AND  
INVESTMENT OF CITY FUNDS IN 2015**

**BE IT RESOLVED**, by the City Council of City of Richfield, Minnesota

**WHEREAS**, pursuant to Minnesota Statutes, Sections 118A.01 – 118A.06, municipal funds may be deposited in any Savings and Loan Association, Bank or Credit Union which has its deposits insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA), and

**WHEREAS**, the amount of said deposits may not exceed the FDIC/NCUA insurance covering such deposits which insurance amount is presently \$250,000, and

**WHEREAS**, the deposit of City funds in Savings and Loan Associations and Banks would provide greater flexibility in the City's investment program and maximize interest income thereon, and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. It is hereby found and determined that it is in the best interest of the proper management of City funds that various banks be designated as additional depositories for City funds for 2015.
2. It is further found and determined that the purpose of such depository designation is to facilitate the proper and advantageous deposit and investment of City funds and that such designation is not exclusive nor does it preclude the deposit of any City funds in other officially designated depositories of the City.
3. The Treasurer and Finance Manager are hereby authorized to deposit City funds in various depositories up to the amount of \$250,000, or such other amount as may be subsequently permitted by law, such deposits to be in the form of demand accounts, payable to the City of Richfield on the signatures of the City Treasurer or Finance Manager. Such deposits may be made and withdrawn from time to time by the Treasurer or Finance Manager as his best judgment and the interests of the City dictates.
4. The investment of funds and the reporting thereof pursuant to this resolution shall be conducted in accordance with established policies of the City regarding the investment of City funds.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

\_\_\_\_\_  
Debbie Goettel, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**

**RESOLUTION DESIGNATING CERTAIN FINANCIAL  
INSTITUTIONS AS DEPOSITORIES FOR THE INVESTMENT OF  
CITY OF RICHFIELD FUNDS IN 2015**

**WHEREAS**, the City of Richfield has money which is available for investment, and

**WHEREAS**, different financial institutions offer different rates of return on investments,  
and

**WHEREAS**, the City of Richfield shall purchase U. S. Treasury Bills, U. S. Treasury Notes and other such government securities in the manner required by law from the institution offering the highest rate to the City of Richfield providing greater flexibility in the investment program and maximize interest income thereon.

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Richfield, Minnesota, in accordance with Minnesota Statutes, Sections 118A.01 – 118A.06, as follows:

1. It is hereby found and determined that it is in the best interest of the proper management of City of Richfield funds that certain financial institutions be designated as additional depositories for City of Richfield funds for 2014.
2. The following financial institutions designated as depositories for the City of Richfield funds:

RBC Dain Rauscher, Inc.  
Wells Fargo Institutional Brokerage & Sales  
Northland Securities, Inc.

Raymond James & Assoc.  
4M Fund  
U.S. Bank Institutional Sales

3. The Treasurer and Finance Manager are hereby authorized to deposit the City of Richfield funds in any or all of the depositories herein designated. Such deposits may be made and withdrawn from time to time by the Treasurer or Finance Manager's judgment and as the interest of the City of Richfield dictates.

4. The investment of funds and the reporting thereof pursuant to this resolution shall be conducted in accordance with established policies regarding the investment of these funds.

Adopted by the City Council of the City of Richfield, Minnesota this 13<sup>th</sup> day of January, 2015.

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Debbie Goettel, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk





## **STAFF REPORT NO. 2** **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY:

Chris Regis, Finance Manager

DEPARTMENT DIRECTOR REVIEW:

Steven L. Devich

OTHER DEPARTMENT REVIEW:

None.

CITY MANAGER REVIEW:

Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution authorizing the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.**

#### **EXECUTIVE SUMMARY:**

In accordance with Minnesota Statutes, the City of Richfield must authorize the use of credit cards by any City employee authorized to make purchases on behalf of the City.

In addition, in today's business environment, most retail businesses will no longer allow the City to purchase on account and will only accept a City check or a City credit card.

Finally, the use of a City credit card provides efficiency and flexibility for employees to purchase goods and services on behalf of the City.

#### **RECOMMENDED ACTION:**

**By Motion: Adopt a resolution authorizing the use of City credit cards by City employees otherwise authorized to make purchases on behalf of the City.**

#### **BASIS OF RECOMMENDATION:**

##### **A. HISTORICAL CONTEXT:**

The following are the current credit/purchasing cards in use by City employees:

- Four VISA credit cards issued through the Richfield Bloomington Credit Union in the name of the City. The cardholders are the following:
  - City Manager
  - Public Works Director
  - Community Development Director
  - Recreation Services Director
- Three Roundy's credit cards issued to the City of Richfield Recreation Services Department. The Recreation Administration division, Wood Lake Nature Center, and Ice Arena use the cards.
- Two Sam's Club credit cards issued to the City of Richfield Recreation Services Department. The Recreation Program division and the Ice Arena use the cards.
- Two Petco credit cards issued to the City of Richfield Public Safety Department. The credit card will be maintained by the following:
  - K-9 Officers (2) – two cards

The City participates in Purchasing Card program as offered through US Bank. The program is designed

to make the purchasing/procurement process for low dollar valued items more efficient. The intent is to save time and paperwork by reducing the need for purchase orders, petty cash, check requests and employee reimbursements.

The City Purchasing card program began in 2010 on a limited basis and has expanded since that time. The program will allow controls to be put in place to limit monthly and single purchase amounts. Finally, a City Purchasing Card Policy has been established which is consistent with the City's Purchasing Policy and Minnesota Statutes.

US Bank Purchasing Card Program. The following twenty six purchasing cards will be issued to the following:

- Building Services Employees (3) – three cards.
- Utility Department Employees (2) – two cards.
- Information Technology Employees (4) – four cards.
- Assistant City Manager (1) – one card.
- Finance Manager (1) – one card.
- City Clerk (1) – one card
- Recreation Service Employees (3) – three cards.
- Public Safety Employees (4) – four cards.
- Fire Chief (1) – one card.
- Communications Coordinator (1) – one card.
- Public Works Employees (3) – three cards.
- Community Development Accountant (1) – one card.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- In accordance with Minnesota Statutes Section 471.382, the City of Richfield must authorize the use of credit cards by any City employee otherwise authorized to make a purchase on behalf of the City.
- Further, if a City employee makes or directs a purchase by credit card that is not approved by the City Council, the employee could be personally liable for the amount of the purchase.
- A purchase by credit card must otherwise comply with all statutes, rules, and City policies applicable to City purchases.
- Finally, the City's auditors recommend that the City authorize the use of credit cards by City employees on an annual basis.

C. **CRITICAL TIMING ISSUES:**

N/A

D. **FINANCIAL IMPACT:**

The holders of City credit cards are responsible for reviewing and approving all purchases entered into with the credit card.

E. **LEGAL CONSIDERATION:**

The City is required by Minnesota Statute 471.382, to authorize the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could decide to not authorize the use of credit cards by City employees. However, most retail businesses in today's environment will no longer allow the City to purchase on account and will only accept a City check or a City credit card. The use of City credit cards by employees provides efficiency and flexibility for employees to purchase goods and services on behalf of the City.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None.

**ATTACHMENTS:**

	Description	Type
❏	2015 Credit Card Authorization	Resolution Letter

## **RESOLUTION NO.**

### **RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS BY CITY EMPLOYEES OTHERWISE AUTHORIZED TO MAKE PURCHASES ON BEHALF OF THE CITY OF RICHFIELD FOR THE YEAR 2015**

**BE IT RESOLVED**, by the City Council of the City of Richfield as follows:

That, in accordance with Minnesota Statutes, Section 471.382, the City Council of the City of Richfield may authorize the use of a credit card by City employees otherwise authorized to make a purchase on behalf of the City.

The authorization is subject to modification and revocation at any time by said City Council, of the City of Richfield, and subject to the following terms and conditions:

If a City employee makes or directs a purchase by credit card that is not approved by the City Council, the employee can be personally liable for the amount of purchase.

The purchases by credit card must comply with all statutes, rules and City of Richfield policies applicable to City purchases.

**BE IT FURTHER RESOLVED**, that designated City staff is hereby authorized to use the following City credit cards to make purchases on behalf of the City of Richfield:

- Four VISA credit cards issued through the Richfield Bloomington Credit Union in the name of the City. The cardholders are the following:
  - City Manager
  - Public Works Director
  - Community Development Director
  - Recreation Services Director
- Three Roundy's credit cards issued to the City of Richfield Recreation Services Department. The credit cards to be maintained by the following:
  - Recreation Administration Division
  - Wood Lake Nature Center Division
  - Ice Arena Operation
- Two Sam's Club credit cards issued to the City of Richfield Recreation Services Department. The credit cards will be maintained by the following:
  - Recreation Programs Division (1) – one card
  - Ice Arena Operation (1) – one card
- Two Petco credit cards issued to the City of Richfield Public Safety Department. The credit card will be maintained by the following:
  - K-9 Officers (2) – two cards.
- Twenty five US Bank Purchasing cards. The cardholders will be the following:
  - Building Services Employees (3) – three cards.
  - Utility Department Employees (2) – two cards.
  - Information Technology Employees (4) – four cards.
  - Assistant City Manager (1) – one card.
  - Finance Manager (1) – one card.
  - City Clerk (1) – one card
  - Recreation Services Employees (3) – three cards.
  - Public Safety Employees (4) – four cards.
  - Fire Chief (1) – one card.
  - Communications Coordinator (1) – one card.
  - Public Works Employees (3) – three cards.
  - Community Development Accountant (1) – one card.

Passed by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

\_\_\_\_\_  
Debbie Goettel, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk



**STAFF REPORT NO. 3**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Theresa Schyma, Deputy City Clerk  
DEPARTMENT DIRECTOR REVIEW: Steven L. Devich  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a designation of an Acting City Manager for 2015.**

**EXECUTIVE SUMMARY:**

It is necessary to designate a person to serve as the Acting City Manager for those times when the City Manager is absent from the City. In 2014, the City Manager designated the Assistant City Manager or an available Department Director as Acting City Manager.

**RECOMMENDED ACTION:**

**By Motion: Direct the City Manager to designate the Assistant City Manager or an available Department Director as Acting City Manager for 2015 in the event the City Manager is absent from the City.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

This information is contained in the Executive Summary.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- Past practice has been for the City Council to designate an Acting City Manager for times when the City Manager is absent from the City.
- This designation should be made at the first meeting in January of each year.

C. **CRITICAL TIMING ISSUES:**

It is necessary to designate a person to serve as Acting City Manager to ensure continuation of City operations during an absence of the City Manager.

D. **FINANCIAL IMPACT:**

This designation is at no additional cost to the City.

E. **LEGAL CONSIDERATION:**

None.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could defer this designation to a future City Council meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A



## **STAFF REPORT NO. 4** **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY:	Theresa Schyma, Deputy City Clerk
DEPARTMENT DIRECTOR REVIEW:	Steven L. Devich
OTHER DEPARTMENT REVIEW:	N/A
CITY MANAGER REVIEW:	Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution designating an official newspaper for 2015.**

#### **EXECUTIVE SUMMARY:**

The Charter of the City of Richfield requires in Section 13.01 that the City Council annually designate an official newspaper for the City.

The Sun-Current has served as the official paper for the City for many years and has proven to be a reliable and professional publication that is delivered to nearly all residences in the City. The Sun-Current has expressed an interest in continuing to serve as the official newspaper of the City.

#### **RECOMMENDED ACTION:**

**By Motion: Approve a resolution designating the Richfield Sun-Current as the official newspaper for the City of Richfield for 2015.**

#### **BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

This information is contained in the Executive Summary.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

This information is contained in the Executive Summary.

C. **CRITICAL TIMING ISSUES:**

The City Council typically considers the designation of an official newspaper at the first meeting in January of each year.

D. **FINANCIAL IMPACT:**

The 2015 price quote from the Sun-Current for the publication of legal notices is reasonable and less than 1/4 the cost of publishing in the Star Tribune.

E. **LEGAL CONSIDERATION:**

A newspaper must be designated each year by the City for publication of all official and legal City business.

#### **ALTERNATIVE RECOMMENDATION(S):**

The City Council could choose to postpone designation of an official newspaper to a future meeting and request the City Clerk's office to gather quotes from other newspapers.



**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None.

**ATTACHMENTS:**

Description		Type
☐	Resolution	Resolution Letter
☐	2015 Sun Current quote	Exhibit
☐	2015 Star Tribune quote	Exhibit

**RESOLUTION NO.**

**RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER FOR 2015**

**WHEREAS**, the Charter of the City of Richfield requires in Section 13.01 thereof that the City Council annually designate an official newspaper for the City.

**NOW, THEREFORE, BE IT RESOLVED** that the Richfield Sun-Current is designated the official legal newspaper for the City of Richfield for 2015 for all publications required to be published therein.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

---

Debbie Goettel, Mayor

ATTEST:

---

Elizabeth VanHoose, City Clerk



RECEIVED  
DEC 04 2014  
BY: \_\_\_\_\_

December 2014

City of Richfield  
City Council  
6700 Portland Avenue  
Richfield, MN 55423-2599

Dear City Council Members:

Please accept the following bid from the **Richfield Sun-Current** for legal newspaper designation for the City of Richfield. This newspaper is qualified by the State of Minnesota as a legal newspaper under Minnesota Statutes Section 331A.02, Subd. 1.

The following rate structure for legals is effective January 1, 2015:

First insertion:	<b>\$11.17</b> per column inch
Subsequent insertions:	<b>\$6.00</b> per column inch
Characters per inch:	<b>320</b>
Lines per inch:	<b>9</b>

A notarized affidavit will be provided for each notice published. Additional affidavits are \$2.50 each. A \$20.00 charge will be assessed on legal notices that require typing. All published legal notices are posted on the *Sun-Current* website at no additional charge.

The *Sun-Current* is published weekly on Thursdays. The deadline is 2:00 p.m. on Thursday for publication the following Thursday. Please email legal notices to [sunlegals@ecm-inc.com](mailto:sunlegals@ecm-inc.com).

Thank you for considering the *Sun-Current* as the official newspaper for the City of Richfield for the upcoming year. We appreciate the opportunity to serve the needs of your community.

Sincerely,

A handwritten signature in black ink, reading "Michael Jetchick".

Michael Jetchick  
Sales Manager

**From:** Place Ads [mailto:placeads@startribune.com]  
**Sent:** Monday, December 01, 2014 12:19 PM  
**To:** Theresa Schyma  
**Subject:** RE: 2015 price quote for legal notices

Hi Theresa,  
Here are the answers to your questions.

1) Starting January 1 of next year - what is your rate per line?

\$5.60 per line, per day

2) How many lines per inch?

11.33 lines per inch

3) How many approximate characters per line, including spaces and punctuation?

Approximately 32 characters per line

4) What is the column width?

Column width is 1.62 inches

Thanks much!

-

Star Tribune  
Advertising Call Center  
612-673-7000  
[placeads@startribune.com](mailto:placeads@startribune.com)  
425 Portland Avenue | Minneapolis, MN | 55488





**STAFF REPORT NO. 5**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Matt Brillhart, Planning Technician  
DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
OTHER DEPARTMENT REVIEW: n/a  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution granting a subdivision waiver, allowing the division of 6325 Girard Avenue (a 120-foot wide lot) into a 105-foot lot and a 15-foot remnant which will be combined with the adjacent 40-foot wide property to the north (6319 Girard Avenue), creating a 55-foot wide lot.**

**EXECUTIVE SUMMARY:**

Mr. Paul Kujawski is the owner of 6325 Girard Avenue, a 120-foot wide single-family lot. Mr. Kujawski would like to divide the lot into a 105-foot wide lot and a 15-foot wide remnant to be sold to his neighbor. The 15-foot wide remnant would subsequently be attached to the adjacent 40-foot wide property to the north (6319 Girard Avenue). 6319 Girard Avenue is non-conforming in regards to minimum lot width and area. Adding the 15-foot wide remnant to the property will create a 55-foot wide lot that conforms to all dimensional requirements.

A portion of Mr. Kujawski's existing driveway, which is accessed via an alley, overlaps onto the part of the lot that is proposed to be sold and attached to 6319 Girard Avenue. As a condition of approval, the property owners shall enter into a shared access agreement for the existing driveway. The driveway will be set back less than one foot from the common lot line of the two properties.

**RECOMMENDED ACTION:**

**By Motion: Approve the attached resolution granting a subdivision waiver for 6325 Girard Avenue.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

None.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- Subsection 500.05, Subd. 2 - In cases in which compliance with the City's platting requirements result in unnecessary hardship and when failure to comply with said requirements does not interfere with the purpose and intent of the regulations, the Council may adopt a resolution authorizing a waiver from the subdivision requirements.
- Subsection 514.11, Subd. 2. Lot area, dimensions and coverage. The properties are zoned "R" - Single Family Residential. Minimum lot requirements and dimensions of the proposed lots will be met as follows:

<b><u>Lot Dimensions</u></b>	<b><u>Width (ft.)</u></b>	<b><u>Depth (ft.)</u></b>	<b><u>Area (sq. ft.)</u></b>
Minimum Required	50	100	6,700
6325 Girard	105	128	13,491
6319 Girard	55	128	7,019

- Subsection 514.05, Subd. 6a - All such driveways, parking areas, turnaround areas, and sidewalks shall be set back no less than one foot from any lot line abutting another parcel, except that upon written request from the landowner, the Director may reduce or rescind this setback requirement for shared access agreements.

The respective property owners of 6325 Girard Avenue and 6319 Girard Avenue shall enter into a shared access agreement for the existing driveway accessed via the alley, as the driveway will be set back less than one foot from the common lot line of the two properties.

C. **CRITICAL TIMING ISSUES:**

None.

D. **FINANCIAL IMPACT:**

The required application fee has been paid.

E. **LEGAL CONSIDERATION:**

Although not legally required, notice of this request has been sent to properties within 350 feet of the property.

60-DAY RULE: The 60-day clock 'started' when a complete application was received on December 9, 2014. A decision must be given by February 7, 2015 OR the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days in total) for issuing a decision.

**ALTERNATIVE RECOMMENDATION(S):**

Deny the requested subdivision waiver with a finding that the proposal does not meet City requirements.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Paul Kujawski, owner of 6325 Girard Avenue

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Resolution	Resolution Letter
<input type="checkbox"/> Survey and Proposed Legal Descriptions	Exhibit
<input type="checkbox"/> Zoning Maps	Exhibit

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION AUTHORIZING A SUBDIVISION WAIVER  
6325 GIRARD AVENUE**

**WHEREAS**, an application has been filed with the City of Richfield which requests approval of a subdivision waiver for the division of 6325 Girard Avenue, legally described as:

Lots 22, 23, and 24, Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota

**WHEREAS**, the applicant proposes to divide the above-described Parcel into two parcels, legally described as:

Parcel 1: Lots 22, 23, and 24 except the north 15 feet of said Lot 24, Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.

Parcel 2: The north 15 feet of Lot 24, Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.

**WHEREAS**, the City has fully considered the request for approval for the subdivision waiver; and

**WHEREAS**, the City Council finds that compliance with the City Code Section 500.05, Subdivision 1 would result in unnecessary hardship and that failure to comply therewith will not interfere with the purposes of the platting regulations of Section 500.01.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. A waiver for the subdivision of the Subject Property legally described above is hereby granted subject to the following conditions:
  - That the owner of 6319 Girard Avenue take steps to combine said property with the adjacent land, "Parcel 2", legally described as the north 15 feet of Lot 24, Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.
  - That the respective property owners of 6325 Girard Avenue and 6319 Girard Avenue enter into a shared access agreement for the existing driveway accessed via the alley, as the driveway will be set back less than one foot from the common lot line of the two properties. (City Code Section 514.05, Subdivision 6)
2. City staff is authorized and directed to take any action necessary to effectuate this resolution and to authorize the recording of conveyances complying with the terms of this resolution.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

---

Debbie Goettel, Mayor

ATTEST:

---

Elizabeth VanHoose, City Clerk



SITE ADDRESS: 6319 GIRARD AVE. SO.  
RICHFIELD, MN

# ADMINISTRATIVE LOT SPLIT FOR: PAUL KUJAWSKI

## PROPERTY DESCRIPTION:

Lot 25, Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.  
Lots 22, 23, and 24 Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.

## PROPOSED LEGAL DESCRIPTIONS





### PARCEL 1:

Lots 22, 23, and 24 except the north 15 feet of said Lot 24,  
Block 3, RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.

### PARCEL 2:

Lot 25 the north 15 feet of Lot 24, Block 3,  
RAY'S LYNNHURST ADDITION, Hennepin County, Minnesota.


## Legend

	Bituminous / Blacktop
	Concrete
	Concrete Curb
	Fence
	Power Pole
40.0 meas.	Measured Distance
40.0 plat	Recorded Plat Distance

- Denotes Iron Monument Found
- Denotes Set, 1/2" x 14" Iron Pipe w/ Plastic Cap Inscribed R.L.S. 15230.

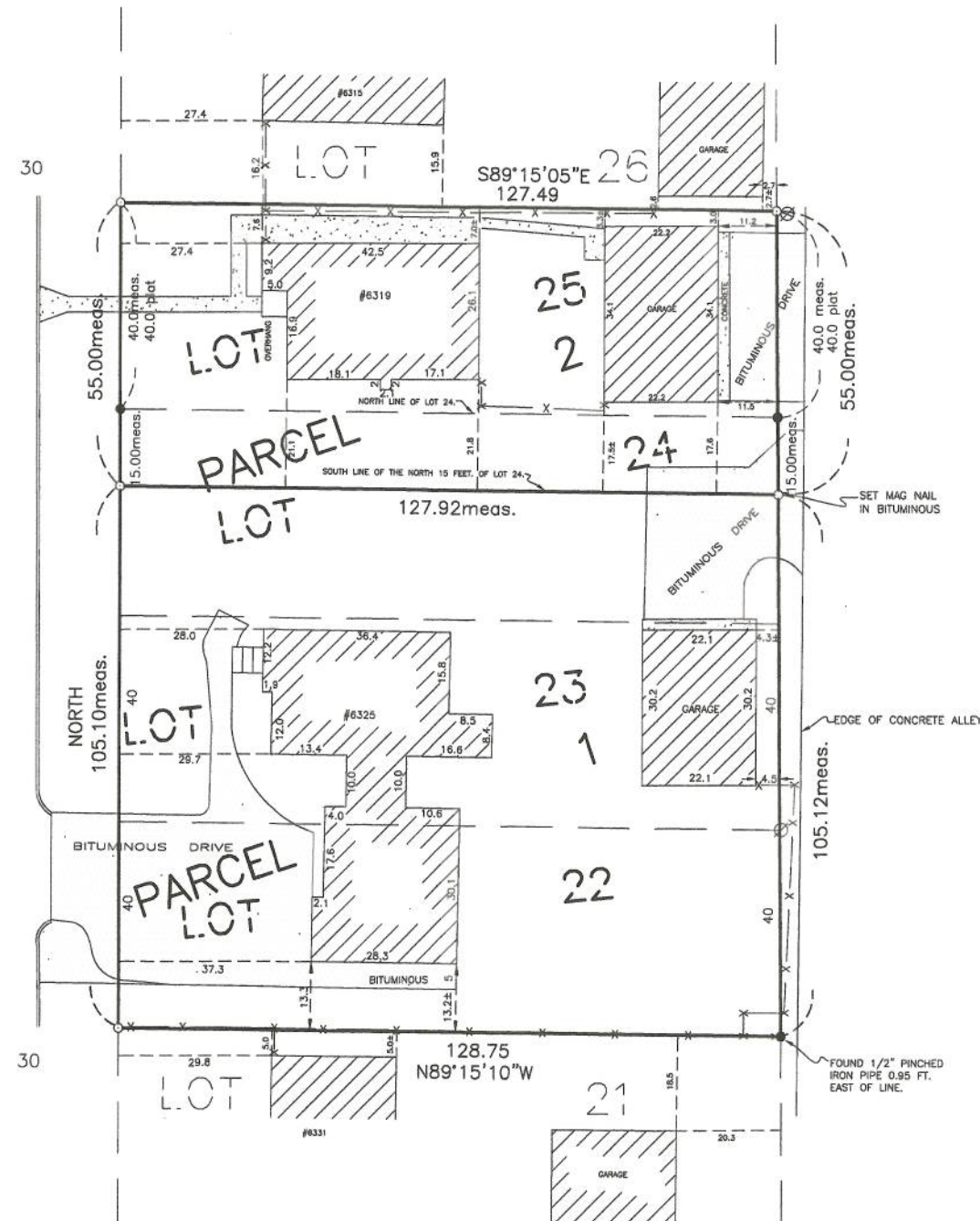
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.

W. BROWN LAND SURVEYING, INC.

  
Woodrow A. Brown, R.L.S. MN REG 15230  
Dated: 12-05-2014

NOTE: No Search Was Made For Any Easements

GIRARD AVENUE SOUTH



SCALE: 1 INCH = 20 FEET

### PARCEL 1

#### PROPOSED AREA CALCULATION:

Property Area = 13,491 SF

#### IMPERVIOUS SURFACE:

House = 1,860 SF  
Garage = 667 SF  
Bituminous = 2,118 SF  
Concrete = 107 SF  
Total = 4,752.0 SF  
= 35.2%

### PARCEL 2

#### PROPOSED AREA CALCULATION:

Lot Area = 7,019 SF

#### IMPERVIOUS SURFACE:

House = 1,034 SF  
Garage = 757 SF  
Bituminous = 302 SF  
Concrete = 372 SF  
Total = 2,611.0 SF  
= 37.2%

W. BROWN LAND SURVEYING, INC.

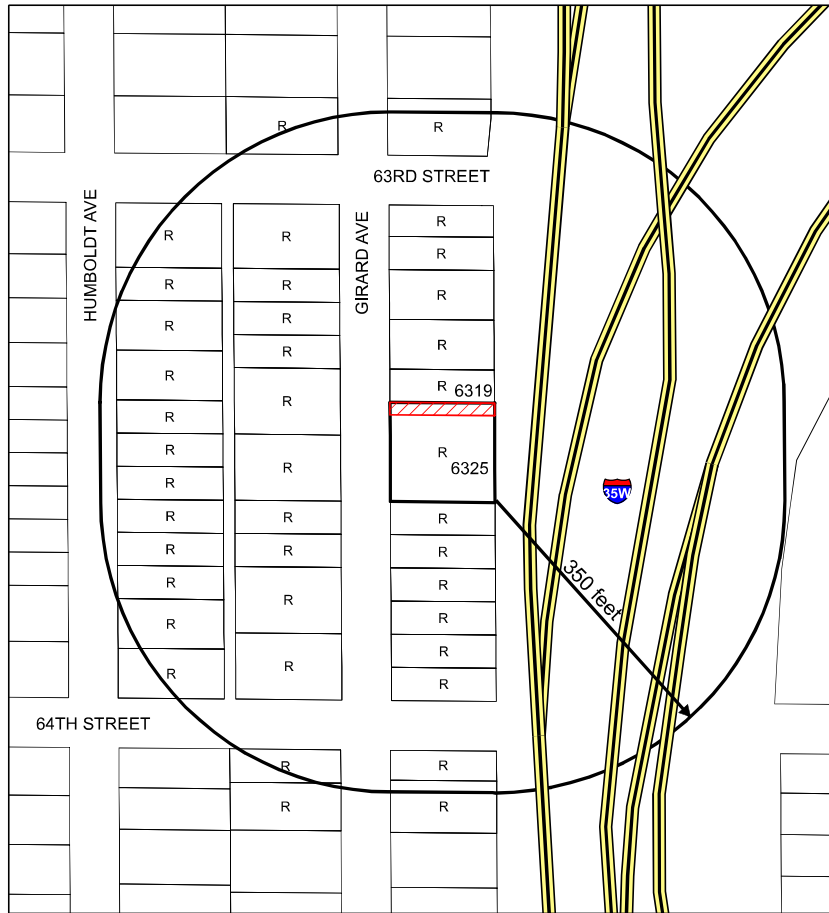
8030 Cedar Avenue So., Suite 228.  
Bloomington, MN 55425  
Bus: (952) 854-4055  
Fax: (952) 854-4268

Drawing: 227-14 Date: 12-05-2014  
Scale: 1 Inch = 20 Feet

1 of 1

# 6325 Girard Ave - Subdivision 1/2015

## Surrounding Zoning



R - Single Family Residential

0 50 100 200 300 400 500 Feet

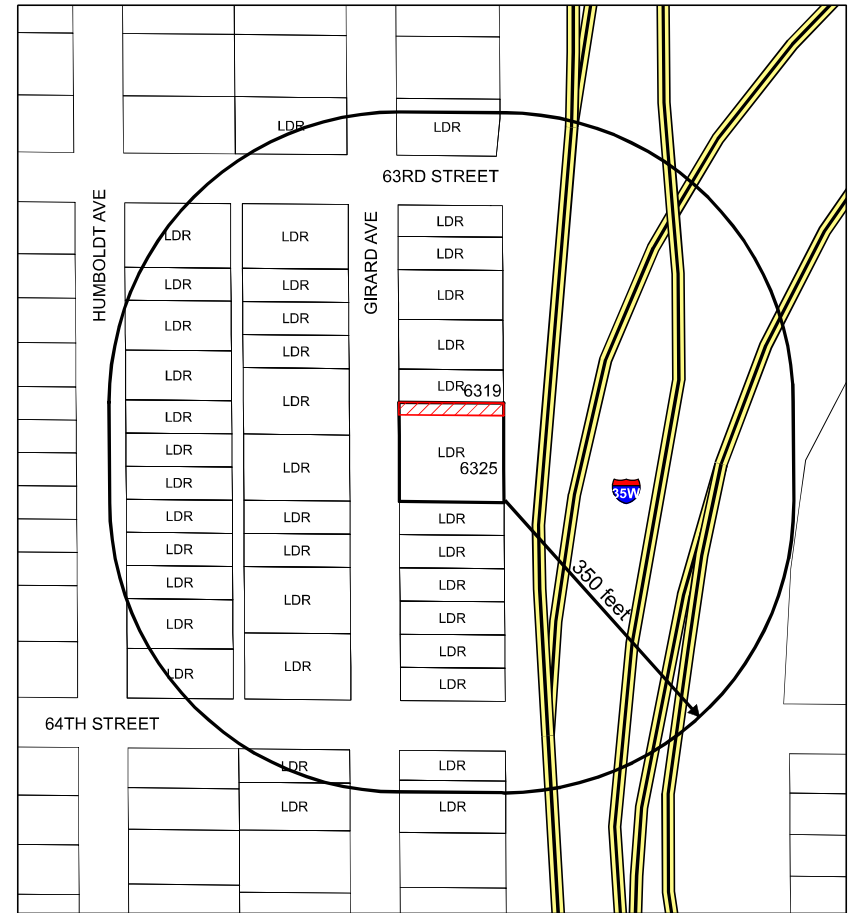
 Area to be subdivided & attached to 6319 Girard



Path: I:\GIS\Community Development\Staff\Planning Tech\Projects\6325 Girard SUB Z.mxd


# 6325 Girard Ave - Subdivision 1/2015

## Surrounding Comprehensive Plan



LDR - Low Density Residential

0 50 100 200 300 400 500 Feet

 Area to be subdivided & attached to 6319 Girard



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**STAFF REPORT NO. 6**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Jeff Pearson, Transportation Engineer  
DEPARTMENT DIRECTOR REVIEW: Mike Eastling, Public Works Director  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of Visual Quality Guidelines for road reconstruction projects as recommended by the Community Services and Transportation Commissions.**

**EXECUTIVE SUMMARY:**

Portland Avenue and 66th Street, both Hennepin County roads, are scheduled to be reconstructed between 2015-2017. As part of the reconstruction, there will be streetscape elements proposed to enhance the livability of the corridor and support active living within the community. To prepare for the design of these roadway corridors, the City Council recommended the development of a set of guidelines for the management of the visual quality of the reconstruction streets to be created with the assistance of a organized workgroup.

**Public Input and Approval Process**

The Transportation Commission recommended approval of the draft Visual Quality Guidelines document with comments at the November 5, 2014 meeting. Additionally, the Community Services Commission recommended approval of the document with comments at the November 18, 2014 meeting. The draft document then was posted online and on the Richfield Connect Mindmixer site for two weeks to gather feedback that was considered for the final draft. Finally, the plan was presented to the City Council at the December 9, 2014 regular Council meeting. A copy of that presentation as well as the final draft document is attached.

**RECOMMENDED ACTION:**

**By Motion: Approve the Visual Quality Guidelines for road reconstruction projects as recommended by the Community Services and Transportation Commissions.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

**Committee Overview**

At the June 10, 2014 meeting, the City Council approved the formation of an Advisory Workgroup, as recommended by the Community Services Commission and Transportation Commission, to assist in the creation of Visual Quality Guidelines for use in the design of the County Road Reconstruction Projects. The task for the workgroup was to create a document that made recommendations consistent with the following goals:

- Support the Street Reconstruction Guiding Principles
- Express Public Preferences
- Enhance Social Interaction
- Increase Economic Activity
- Promote Community Identity
- Improve the Quality of Life for Residents

- Invest in Practical and Durable Solutions

The workgroup (committee) held four workshops throughout the process to discuss and finalize various aspects of the plan. In addition, an online forum was available through the City Mindmixer site to submit ideas and gather feedback between physical meetings.

The workgroup first assembled the various ideas in the categories of user modes such as walking, biking, transit use, and driving. They then identified the level of experience for the ideas and made location recommendations based on those levels.

### **Document Overview**

The Visual Quality Guidelines workgroup established an “experiential approach” to developing its guidance. The workgroup determined that it was the experience which people have in a corridor that matters. It is a person’s experience that determines if they think a particular segment of a roadway corridor is appropriately designed or not. If the correct design elements are used to support the desired experience, the roadway and streetscape are considered to be appropriately designed. If the incorrect elements are used, the desired experience is not adequately supported and the roadway and streetscape are considered to be inappropriately designed.

For each mode of travel (walking, bicycling, transit use, and motoring) the committee identified different design elements necessary to support three different levels of experience. The three levels were:

- High Level: This level of experience made the location attractive as a destination; a place where people were comfortable to gather and socialize; a set of design features that not only support the mode of travel but also created a unique sense-of-place that made being there a joyful experience worth remembering and repeating.
- Average Level: This level provided an experience that would be typical and expected of a well-designed and well-maintained suburban streetscape in which people may socialize but without creating a unique sense-of-place.
- Low level: This level of experience would meet only the basic functional requirements for safe movement without any appealing attributes for socializing along the street.

The group then focused on defining where the level of experiences should be provided for each mode. They discovered that there was significant overlap between modes. In general, for 66th Street, a high level of experience is desired to be concentrated near:

- Intersections with Vincent, Penn, Lyndale, Nicollet, and Portland Avenues
- At the interchange with I-35W
- Between 17th and Cedar
- Adjacent to parks, particularly Veterans Memorial Park, Wood Lake Nature Center, and Monroe Field.

Along Portland Avenue, high levels of service is desired to be placed at:

- Intersections with 66th, 73rd, 76th, and 77th Streets
- The interchanges with Crosstown (TH 62) and I-494.
- Adjacent to parks

Input from the workgroup and the recommendations for a each level of experience are shown in greater detail within the attached draft document.

The draft Visual Quality Guidelines document was recommended for approval by the Transportation Commission (with comments) at the November 5, 2014 meeting, the Community Services Commission at the November 18, 2014 meeting, and then was posted online on the Richfield Connect Mindmixer site for two weeks to gather feedback that was considered for the final draft.

### **B. POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- The reconstruction of the County Roads is identified in the City's Comprehensive Plan (Transportation).

C. **CRITICAL TIMING ISSUES:**

- Both Portland Avenue and 66th Street reconstruction projects are progressing into final design so approval of the Visual Quality Guidelines is needed in order to incorporate recommendations from the document.

D. **FINANCIAL IMPACT:**

- There is no financial impact to approving the Guidelines document.
- Elements recommended in the document will be considered independently for each roadway if they are included as part of the final design approval.

E. **LEGAL CONSIDERATION:**

- The City Attorney will be available to answer questions.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council may choose not to approve the Visual Quality Guidelines and direct staff on how to proceed.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Project Consultant

**ATTACHMENTS:**

	Description	Type
<input type="checkbox"/>	December Council Presentation	Presentation
<input type="checkbox"/>	Draft VQG Document	Cover Memo

## Visual Quality Guidelines

66<sup>th</sup> Street and Portland Avenue  
City of Richfield, Minnesota

December 9, 2014



## Visual Quality Guidelines 66<sup>th</sup> Street and Portland Avenue Richfield, Minnesota

City Council Update  
Tuesday, December 9, 2014





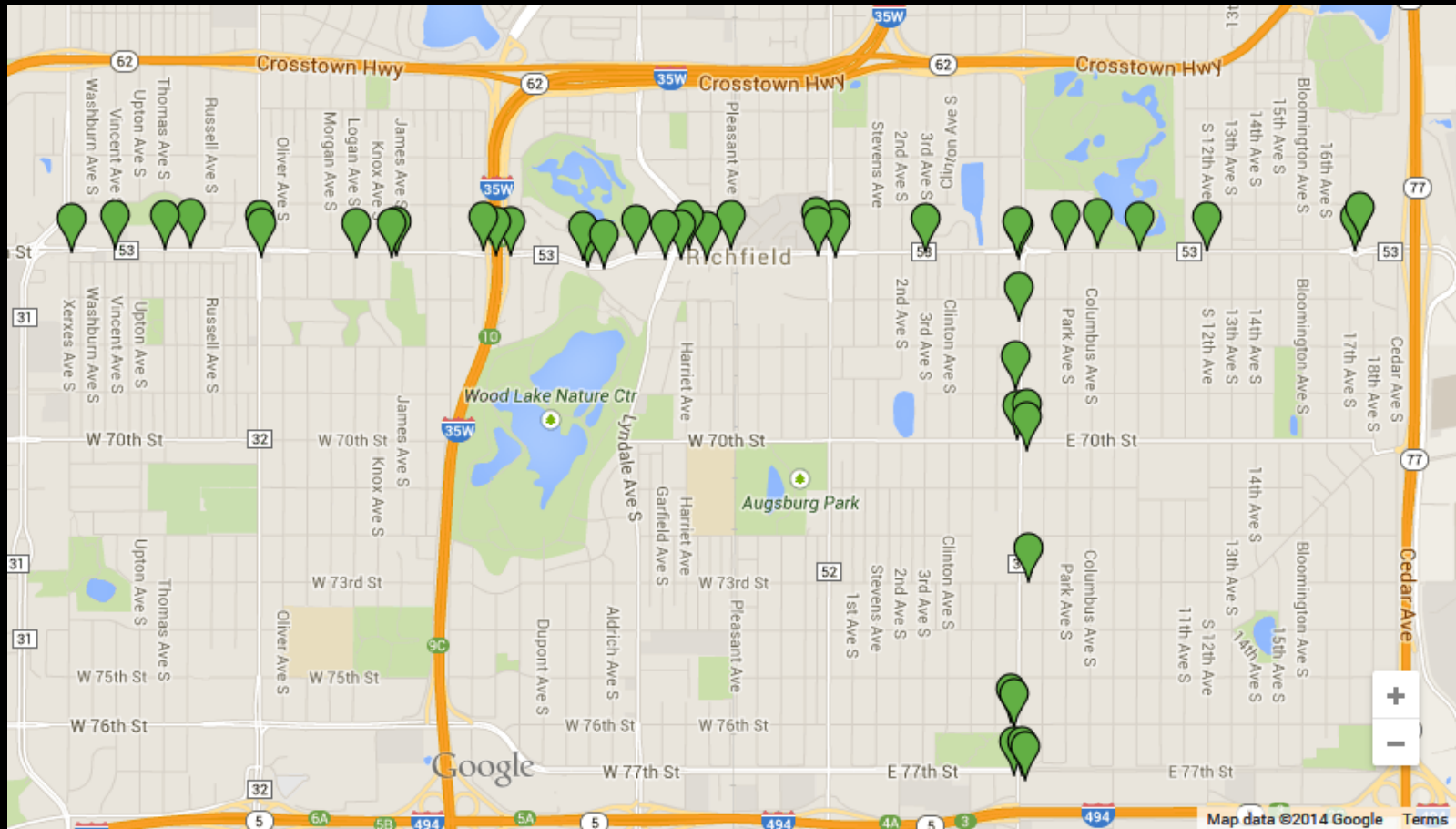
# Committee Purpose

- Support the Guiding Principles
- Express Public Preferences
- Enhance Social Interaction
- Increase Economic Activity
- Promote Community Identity
- Improve the Quality of Life for Residents
- Invest in Practical and Durable Solutions





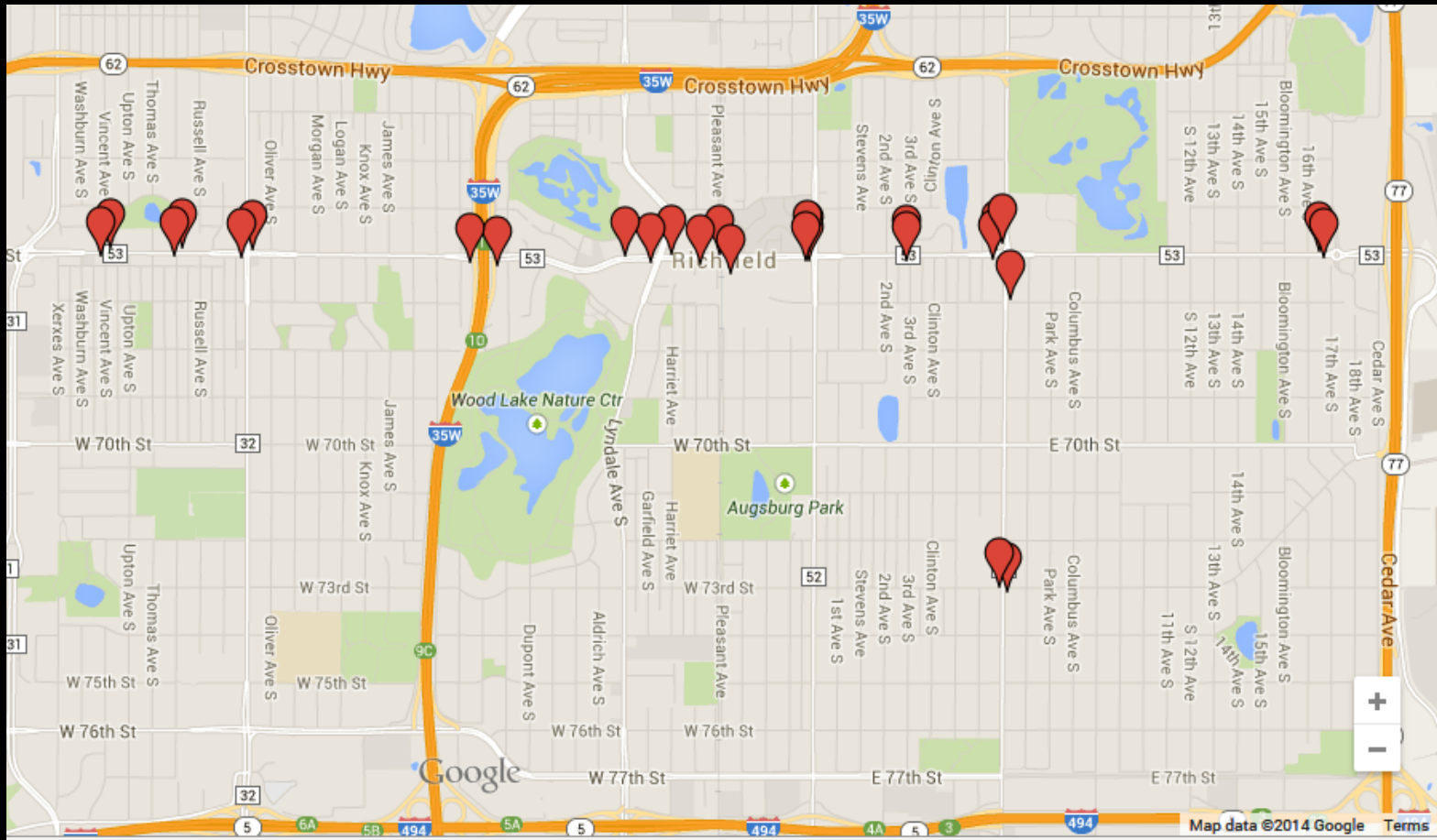
# High Experience Locations for Pedestrians





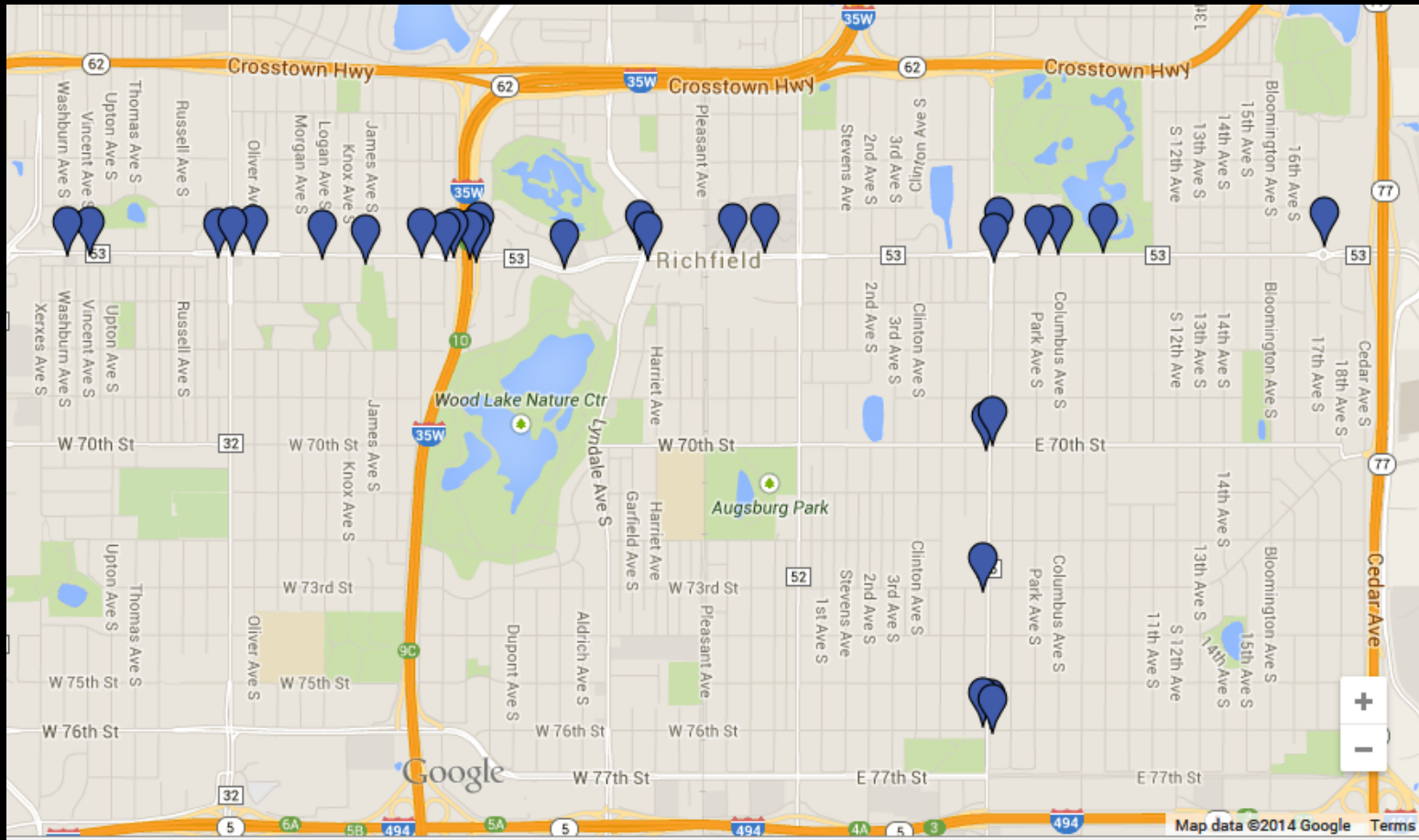


# High Experience Locations for Transit





# High Experience Locations for Bicycling





# High Level Experience Pedestrian Sidewalks



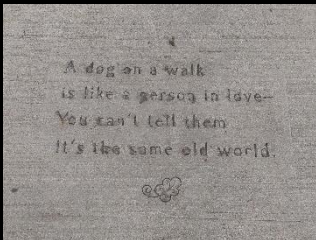
Width accommodates retail and café use



Tree lawn buffers sidewalk from street



Saw-cut pattern with varied panel sizes and colors



Adding art to sidewalks with words, patterns, lines, and images to engage walkers and their memories





# High Level Experience Pedestrian Crosswalks



Creative markings and advanced understanding of pedestrian and driver behavior helps pedestrian safety at crossings



# High Level Experience Pedestrian Support Facilities



Encourages Contact



Provides Flexibility



Promotes Interactive Games



Socially Connected



Ensures a Safe Refuge



Reflects  
Community  
Aspirations



Asserts Life's  
Tenacity and  
Vibrancy



Celebrates Human  
Achievement





# High Level Experience Pedestrian Support Facilities



Encouraging low  
impact exercise



Kiosks communicating  
important information



Adding visual continuity by  
delineating transitions



Vegetative canopy  
providing protection



Creating visual order with  
trees



Utilitarian objects creatively used as  
an artistic canvas



Water  
fountains also  
serving pets



# High Level Experience Transit Facilities



Responding to the needs of transit users for safety, clarity, comfort, and multi-modal opportunities is essential for increasing transit use.





# High Level Experience Bicycle Facilities



Designing for the whole bicycle experience, including its interaction with other modes; the proximity and practicality of parking; and the availability of services, including maintenance and rental, is essential for promoting bicycling.





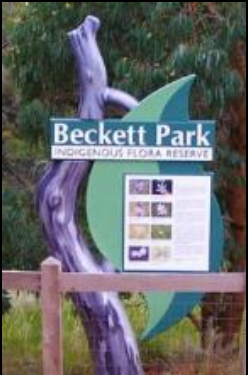
# High Level Experience Motorized Vehicle Facilities



Visual cues for the motorized driver, spatially defining modal separation, wayfinding, reducing glare, and

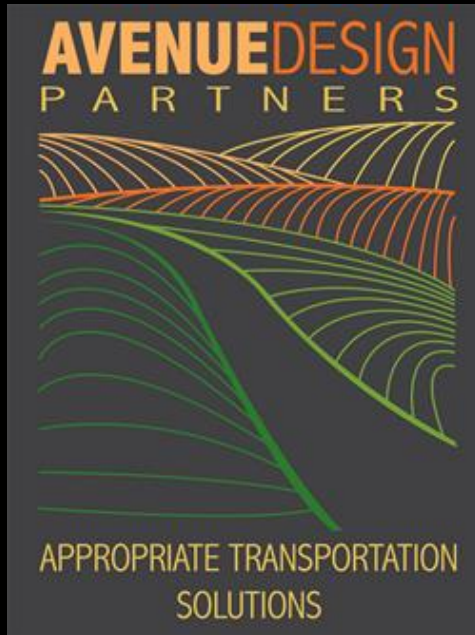


# High Level Experience Community Character Elements



Roadways are public space. Using roadways to connect other public spaces enhances a community's quality of life





Jack Broz, P.E.  
Principal  
Avenue Design Partners

2356 University Avenue  
Saint Paul, MN 55114

651-492-4484

[jbroz@avenuedesignpartners.com](mailto:jbroz@avenuedesignpartners.com)  
[www.avenuedesignpartners.com](http://www.avenuedesignpartners.com)

# Visual Quality Guidelines

**66<sup>th</sup> Street and Portland Avenue  
City of Richfield, Minnesota**

**December 9, 2014**





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# Introduction

## BACKGROUND

The Richfield City Council on July 8, 2014 directed the Community Services Commission, in coordination with the Transportation Commission, to develop a set of visual quality guidelines that would direct the aesthetic development of arterial roadway corridors in the community. Although the concepts developed would first be employed along projects which Hennepin County was considering along Portland Avenue and 66<sup>th</sup> Street, the intent of the project would be to establish a framework that would guide the aesthetic development of future county reconstruction projects throughout the city. The two advisory commissions were directed to establish a community advisory committee made up of members of the two standing commissions and other interested parties from the community to assist in the development of the guidelines. The Council further directed that the effort must consider long-term maintenance costs in developing its recommendations. The development of the guidelines would be facilitated by Avenue Design Partners in coordination with the Department of Public Works.

## PURPOSE

The Visual Quality Guidelines Committee adopted as its purpose the following statement:

*Committee Purpose:* To create a set of *Visual Quality Guidelines* that directs the final roadway design for 66<sup>th</sup> Street and Portland Avenue which define and incorporate *community livability goals and concepts* comprehensively into the roadway improvement plans, *enhancing the quality of life* for all ages living, working, and recreating along these corridors in the City of Richfield.

Visual quality is critical to a community's quality of life. The visual quality of a community creates a signature—an identity—that proclaims the community's values and priorities to residents and visitors. It is a display of civic order and promotes personal safety. The visual quality of Richfield, particularly the impression travelers have of the community as they travel on the county roads that traverse the city, is crucial to the welfare of the city. Views from these roads not only demonstrate the economic and social vitality that currently exist in Richfield but they will also act to encourage investment if well-conceived or discourage it if it is not done well.

The committee's purpose was derived from earlier work of the Transportation Commission establishing eight *Guiding Principles* meant to direct the development of the reconstruction of Portland Avenue and 66<sup>th</sup> Street through Richfield. These eight principles were:

- **Multimodal Design.** Multimodal Design of public rights of way will be consistent with the City's Complete Streets policy and will utilize innovative and non-



traditional design standards in a way that is equitable for all modes/users, inter-modal activities, and is respectful of the surrounding community.

- ✓ Provide pedestrian facilities and amenities within the right of way
  - ✓ Provide bike lanes at least 5 feet wide
  - ✓ Include transit facilities, plan for intermodal transfers, and provide bike lockers & racks
  - ✓ Add bike rentals and Nice Ride stations
- **Connectivity and the Public Realm.** The street and public right-of-way network will be used to connect various Public Realm amenities so that a range of inter-modal activities (walking, biking, driving, etc.) support how neighborhood residents travel to and from destinations such as schools, parks/open space, shops and businesses.
    - ✓ Provide a well-connected network of streets, paths & transit
    - ✓ Accommodate multimodal connections to local destinations
    - ✓ Enhance connections to the regional transit and bicycle networks
    - ✓ Implement signage and way-finding
  - **Local Economy.** Community improvements and reinvestment will reinforce and support all businesses in the Local Economy and provide a safe and more convenient way to access and connect for neighbors, residents, pedestrians, cyclists and motorists.
    - ✓ Maintain/improve visibility and convenient access to businesses
    - ✓ Employ parking strategies that provide safe access for all users and modes of movement
    - ✓ Provide wider retail sidewalks that support a variety of users and uses
    - ✓ Promote building use and type that reinforces street enclosure and defines the public realm
  - **Design for People.** New improvements, growth and development will utilize Sustainable Solutions that are adaptable, flexible, built to last and that consider implications of long term maintenance to ensure the future economic, environmental and social health of the community.
    - ✓ Understand the environmental setting and context of the area
    - ✓ Incorporate green stormwater practices such as rain gardens, tree trenches and pervious pavers
    - ✓ Bury utilities where possible
    - ✓ Accommodate future maintenance and operations with dedicated funding sources
  - **Community Character and Identity.** The design and implementation of community facilities and improvements will recognize the Community Character of single family residential scale and pattern and will also respond to local features such as natural resources, public art, aesthetics and gateways.
    - ✓ Respond to residential neighborhood use and scale with appropriate street size and speeds

- ✓ Design wayfinding that represents local character
  - ✓ Maintain a mature tree canopy
  - ✓ Incorporate opportunities for public art
- **Sustainable Solutions.** New improvements, growth and development will utilize sustainable solutions that are adaptable, flexible, built to last and that consider implications of long term maintenance to ensure the future economic, environmental and social health of the community.
    - ✓ Understand the environmental setting and context of the area
    - ✓ Incorporate green stormwater practices such as rain gardens, tree trenches and pervious pavers
    - ✓ Bury utilities where possible
    - ✓ Accommodate future maintenance and operations with dedicated funding sources
- **Healthy and Active Lifestyles.** Elements will be incorporated into planning and design efforts to encourage comfortable corridors and places to walk and bike to, safe and well-landscaped routes that inter-connect the community, and promote Healthy and Active Lifestyles.
    - ✓ Create safe, convenient, and fun non-motorized travel opportunities
    - ✓ Design a safe, well-defined network of routes to walk and bike to school
    - ✓ Provide well-marked, designed, and visible street crossings
    - ✓ Implement signage and way-finding
- **Unique Location.** Community and transportation improvements will support a well-designed and functional regional system which complements local land uses, and capitalizes on Richfield's unique location through enhanced access to the regional multimodal transportation system to improve livability and convenience.
    - ✓ Emphasize design that accommodates local traffic over through traffic
    - ✓ Enhance regional transit and trail connections
    - ✓ Maintain convenient freeway access

Combining the original principles established by the Transportation Committee with the purpose of the Visual Quality Guidelines Committee, a community engagement process emerged to develop the guidelines.

The City, recognizing that many of its streets were reaching an age where a major reconditioning was necessary, inaugurated a city-wide street improvement program called *Sweet Streets*. The program would comprehensively address traffic distribution, congestion, modal balance, pavement condition, drainage, and other issues confronting the city's thoroughfares. In particular, it would coordinate reconstruction of county and municipal roadways. Two county roads, Portland Avenue and 66<sup>th</sup> Street, were part of that coordinated effort, and were to be the focus of the work of the Visual Quality Guidelines Committee.

Prior to the formation of the committee, several meetings between the city and the county, the Transportation Commission, and the public had established the goals and objectives beyond the general guiding principles for the two roads. For Portland Avenue, the project was to improve the pavement conditions, replace deteriorating sidewalks, and upgrade aging underground utilities while improving operational safety for pedestrians, bicyclists, and vehicles. Additionally, the project would focus on increasing the livability of the corridor through enhanced aesthetics, landscaping amenities, transit facilities, and traffic calming measures. For 66<sup>th</sup> Street, the project sought to address the deteriorating pavement, utility and drainage concerns, non-motorized accommodations and storm water quality conditions. The established goal was to design 66<sup>th</sup> Street to be safer, more livable, and welcoming to all users, while balancing potential impacts to residents and businesses along the corridor.

The limits of the Portland Avenue project are 67<sup>th</sup> Street to 77<sup>th</sup> Street. For 66<sup>th</sup> Street, the project limits extend from Xerxes Avenue on the west to 16<sup>th</sup> Avenue on the east. Construction is expected to be completed for Portland Avenue in 2015 with 66<sup>th</sup> Street being constructed in 2016-2017.

## **PROCESS**

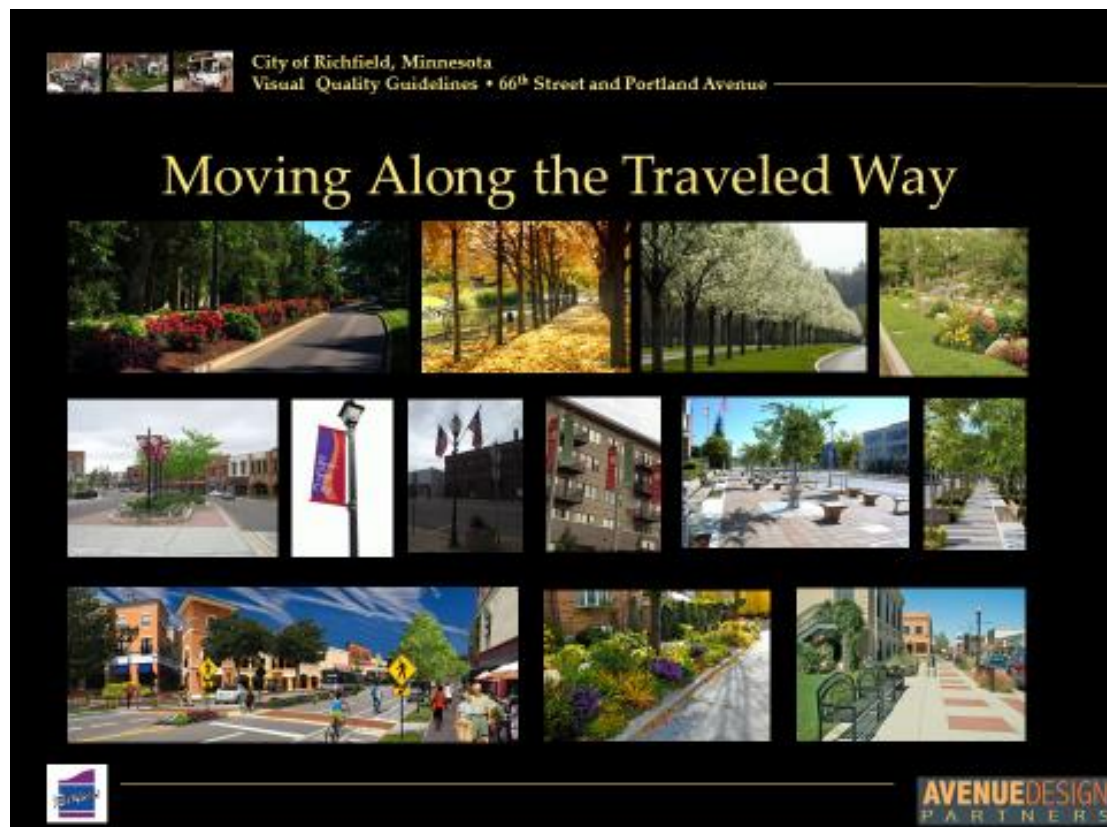
The Visual Quality Guidelines Committee met four times over the course of the summer of 2014. Each meeting was conducted as a workshop, structured to give the roadway design professionals from public works and their consultant, Avenue Design Partners, a better understanding of the concerns and visual quality preferences of the community. Each workshop built upon earlier work and had a distinct purpose.

To facilitate participation between meetings, Richfield's MindMixer™ website, *Richfield Connect*, was employed. This site allowed members of the committee to submit images and ideas for other members of the committee to review and comment on between workshops. The four workshops resulted in the following findings:

- *Workshop 1:* The first workshop introduced the committee to the projects, specifically the work that had been completed by the county and city and the work that the committee would need to contribute in order to develop a set of visual quality guidelines. The committee accepted and adopted a statement about its purpose, how the workshops would be conducted, the products that would be produced, and the schedule for completing the project. In anticipation of the second workshop, the first workshop concluded with the committee members being directed to populate the *Richfield Connect* MindMixer™ site with images of streetscape elements and activities they would like to see along Portland Avenue and 66<sup>th</sup> Street. They were asked to also explain why they chose the images. Other members were then encouraged to comment on the suggested item or activity.
- *Workshop 2:* In preparation for a dialog during the second workshop, committee members posted over 40 images and left over 100 related comments on-line. At

the second workshop, the committee began by agreeing that the on-line discussion had been effective in helping to generate better, more thoughtful, ideas about what would be useful for creating inviting streetscapes along Portland Avenue and 66<sup>th</sup> Street.

In reviewing the images and comments the committee posted on-line, the consultant suggested that the images seemed to fall into three general groups based on what people were doing in the corridor: *moving along the traveled way*, *crossing the traveled way*, or *gathering near the traveled way*. The images, as shown below, were sorted into these three categories and shown to the committee for discussion.



**Images of Design Elements that support *Moving Along the Traveled Way*.** The first group of images submitted by committee members had to do with moving along the traveled way. This included images related to pavement, boulevard plantings, lighting, banners, benches, and similar items that enhanced the experience of using the corridor for pedestrians, bicyclists, transit users, or drivers and passengers of motor vehicles.

The second group of images and comments had to do with *crossing the traveled way*. These images related mostly to the configuration and materials used for crosswalks. Although the images primarily related to crossings by pedestrians, crossings by bicyclists and even vehicles will need to be considered. Selection of those design elements that reduce conflicts between motor vehicle drivers, bicyclists, and pedestrians need to be considered.



## Crossing the Traveled Way



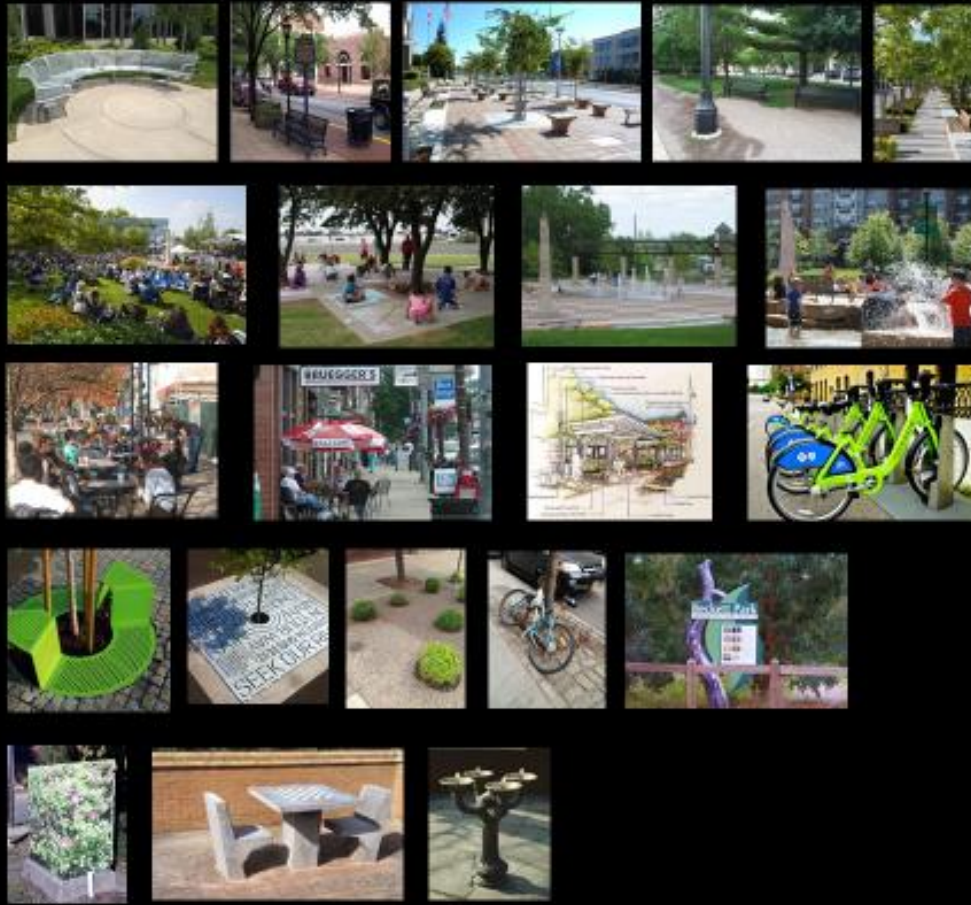
**Images of Design Elements that support *Crossing the Traveled Way*.** The second group of images submitted by committee members were of design elements which supported crossing the traveled way. Note the use of distinctive movement markings and a pedestrian refuge island in the middle of the crossing. Several images of how to better cover or disguise electrical utility cabinets used to operate traffic signals were also posted.

The largest group of on-line images and comments were sorted into a third group as illustrations of *gathering near the traveled way*. These images illustrated the activities that the committee sought to have supported along Portland Avenue and 66<sup>th</sup> Street.





## Gathering Near the Traveled Way



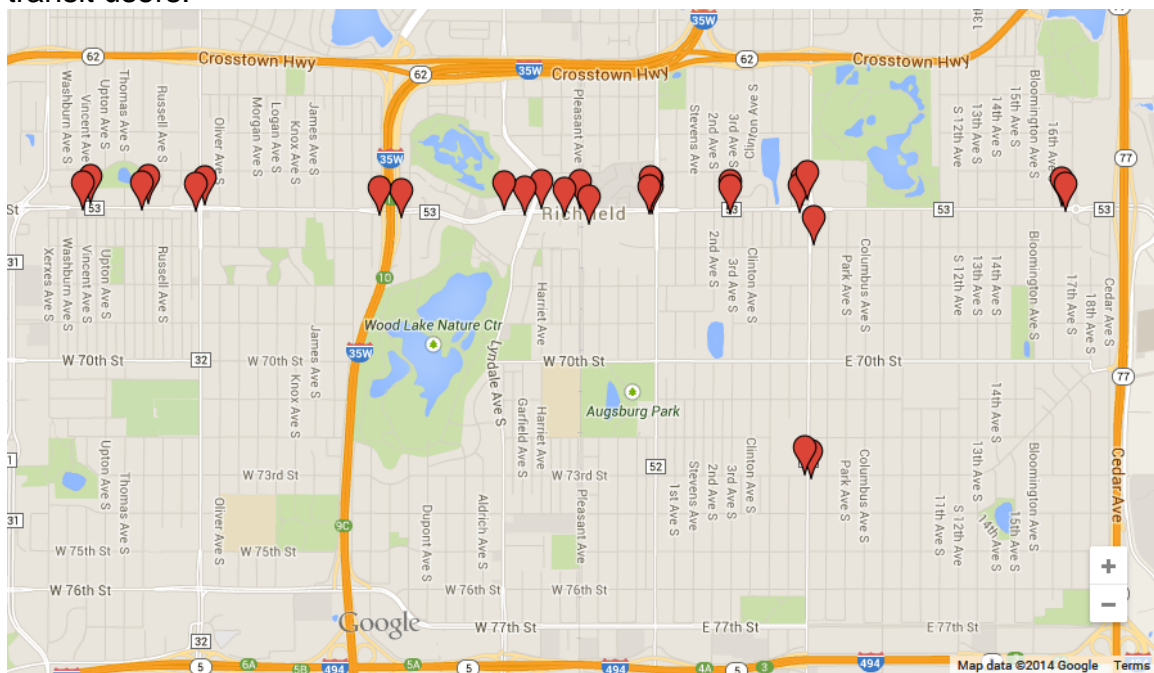
**Images of Design Elements that support *Gathering Near the Traveled Way*.** People were shown lounging and socializing in sidewalk cafes, in parks, on plazas. Different types of street furniture, including chairs, benches, and tables, were featured. Suggestions for enlivening even utilitarian items, such as tree grates and utility boxes, were shown.

- **Workshop 3:** For the third workshop, a representative from the Chamber of Commerce presented the status of their work trying to reformulate the branding of the city. That work remains in its early stages. Opportunities for incorporating any new branding element in streetscaping plans for Portland Avenue or 66<sup>th</sup> Street will need to remain flexible. The primary task of the third workshop was to

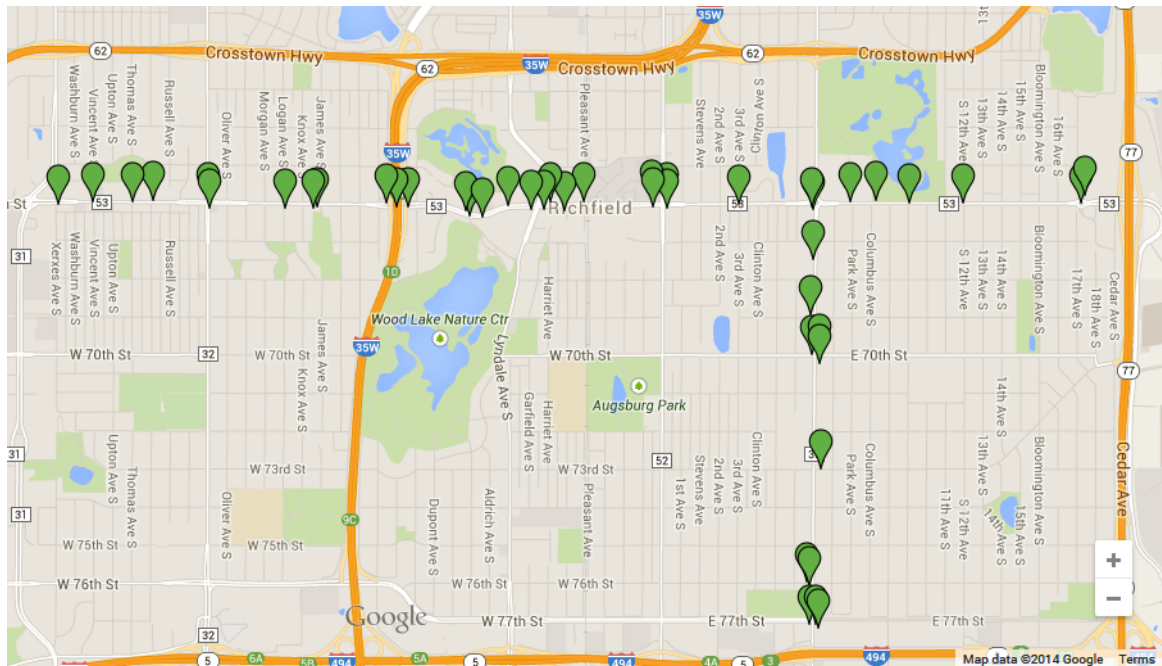
determine which design features that supported moving, crossing, or gathering along Portland Avenue or 66<sup>th</sup> Street should be included in the visual quality guidelines. A range of design elements associated with streetscapes were examined including: sidewalks, seating, tables, drinking fountains, bicycle and transit facilities, crosswalks, vegetation, art, gateway and wayfinding signage, and socializing elements. Various options for each type of element were shown to facilitate a discussion of what designs would work best for Richfield. From this discussion, a set of preferred design elements began to emerge. The preferred design elements were divided into those that contributed to a high level, an average level, or a low level of experience.

Concluding the third workshop was a mapping exercise. On a large map of the two corridors, members placed color-coded dots indicating where they would like to see a high level of experience for walkers, bicyclists, or transit users. To allow all members of the committee to contribute, the exercise was transferred to the project's online *Richfield Connect* MindMixer™ site.

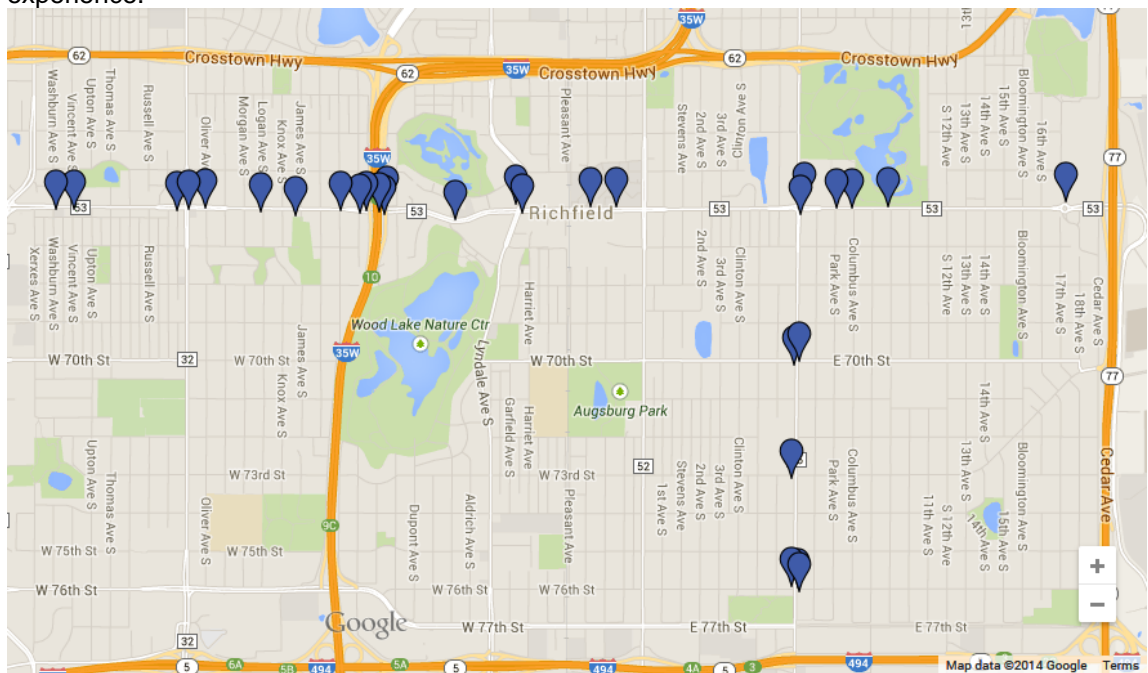
- **Workshop 4:** The final workshop validated the findings of the previous workshops. The committee was asked to verify a collection of preferred design elements that would support a high level of experience for walking, bicycling, riding a bus, or driving a car. They also reviewed the general location and the pattern of distribution of where these high level of experiences should be located. The committee concurred with the recommended collections and the locations of design elements for a creating a high level experience for walking, bicycling, and transit users.



**Recommended Sites for a High Level Experience for Transit Users.** This map, developed by members of the Visual Quality Guidelines Committee, indicates where they believe it is important to concentrate those design elements that together would create a high level of experience for transit users.



**Recommended Sites for a High Level Experience for Pedestrians.** This map, developed by members of the Visual Quality Guidelines Committee, indicates where they believe it is important to concentrate those design elements that together would create a high level of experience for pedestrians. Note that the need is more continuous than that for transit users or bicyclists. Access to transit stops, commercial nodes, and parks appear to be very desirable for a high level experience.



**Recommended Sites for a High Level Experience for Bicyclists.** This map, developed by members of the Visual Quality Guidelines Committee, indicates where they believe it is important to concentrate those design elements that together would create a high level of experience for bicyclists. Note that the need is more continuous than that for transit users. For bicyclists, design elements for a high level experience are particularly needed at areas where visibility is critical to personal safety, such as cross streets, driveways associated with commercial businesses, and transit stops. Access to parks also appear to be very desirable for a high level experience.

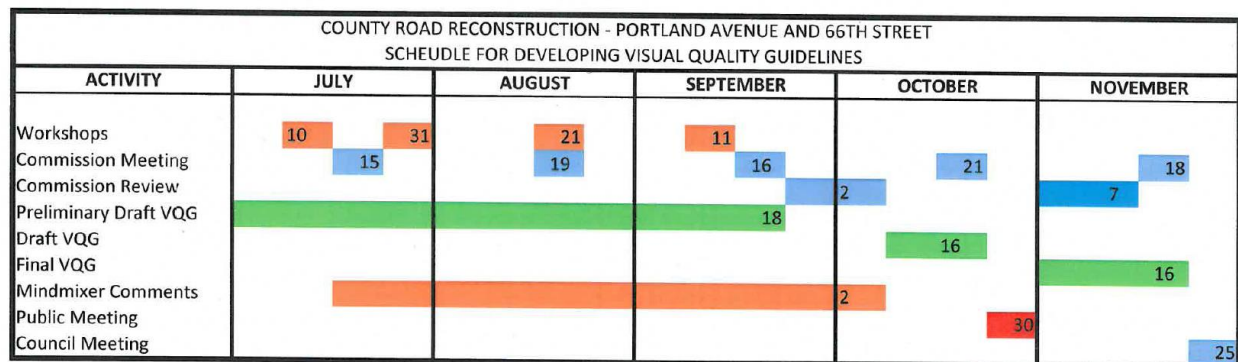


Following the last workshop, a preliminary draft of the completed Visual Quality Guidelines manual was created and reviewed by city staff before being presented for a final review by the two oversight commissions—community services and transportation. The commissions' suggested modifications have been incorporated into this final document. After review by the oversight commissions, a draft of the guidelines was posted on *Richfield Connect* MindMixer™ for the community comment. After review by city staff, the public comments have also been incorporated into this final version of the Visual Quality Guidelines that will be presented to Richfield City Council for review and approval.

Once adopted by the City Council, the guidelines will be distributed to the final designers of Portland Avenue and 66<sup>th</sup> Street with the directive that the designers fully incorporate its guidance into the plans and specifications for the county's reconstruction projects.

## SCHEDULE

Following approval of the work plan by the City Council in July 2014, the Visual Quality Guidelines Committee was formed. It met in a series of workshops from July through September 2014. During this time, city staff with assistance from the consultants kept the Community Services and Transportation Commissions informed about the project's status. The preliminary draft was completed in mid-October with reviews by the advisory committee completed in mid-November. Reviews by the Transportation and Community Services Commissions were completed in early December. The City Council is scheduled to take action on the report at its December 16, 2014. Below is a graphic representation of the schedule as it was originally proposed. Except for adding and extending some public review times toward the end of the project, the original schedule was met.



**Project Schedule.** This table illustrates the coordination between tasks and when, at the beginning of the project, they were scheduled to be completed. With only minor adjustments, the schedule has been met.

## COMMITTEE MEMBERSHIP

Membership in the committee had been drawn from mostly residential interests along both corridors. Some businesses and roadway users were also represented. Most members had volunteered on comment sheets that were distributed during the public open houses that had been held to discuss the county's plans for reconstructing Portland Avenue and 66<sup>th</sup> Street. The following people volunteered:

Sandra Ahaus	Penn Avenue South	Bloomington
Elizabeth Arnold	66 <sup>th</sup> Street East	Richfield
Tom Birkelo	Washburn Avenue South	Richfield
Susan Brinkhaus	66 <sup>th</sup> Street West	Richfield
Eric Brustad	Portland Avenue South	Richfield
Gerald Charnitz	3 <sup>rd</sup> Avenue South	Richfield
Joannette Cintron de Nunez	Penn Avenue South	Richfield
Carolyn Engeldinger	Elliot Avenue South	Richfield
David Gepner	Penn Avenue South	Richfield
Holly Hanson	Harriet Avenue South	Richfield
Teresa Kruse	70½ Street West	Richfield
Mike LaFond	Portland Avenue South	Richfield
Jan Matheus	3 <sup>rd</sup> Avenue South	Richfield
Morris Nilsen	Morgan Avenue South	Richfield
Kathryn Quam	66 <sup>th</sup> Street West	Richfield
Lisa Rudolph	17 <sup>th</sup> Avenue South	Richfield
Katie Swatosh	Morgan Avenue South	Richfield
Joy Webb	Portland Avenue South	Richfield
Amanda Weidenbach	Irving Avenue South	Richfield
Ted Weidenbach	Irving Avenue South	Richfield
Jeff Wright	70 <sup>th</sup> Street East	Richfield

Overseeing the development of the visual quality guidelines was the Director of Parks and Recreation, Jim Topitzhofer, with support from Chris Link, Operations Superintendent; Jeff Pearson, Transportation Engineer; Liz Finnegan, Civil Engineer; and Karen Barton, Community Development Manager.

## IMPLEMENTATION

It is anticipated that the work of the committee, the production of a set of visual quality guidelines will not only be used by the final designers of Portland Avenue and 66<sup>th</sup> Street, but also used on a major thoroughfares in the City of Richfield, including but not necessarily limited to all country roads. City staff will be directed to review all plans and specifications for plans related to the construction and reconstruction of these selected routes for compliance with these guidelines.

# Guidelines

## CONCEPTUAL APPROACH

The Visual Quality Guidelines Committee established an “experiential approach” to developing its guidance. The committee determined that it was the experience which people have in a corridor that matters. It is a person’s experience that determines if they think a particular segment of a roadway corridor is appropriately designed or not. If the correct design elements are used to support the desired experience, the roadway and streetscape are considered to be appropriately designed. If the incorrect elements are used, the desired experience is not adequately supported and the roadway and streetscape are considered to be inappropriately designed.

For each mode of travel (walking, bicycling, transit use, and motoring) the committee identified different design elements necessary to support three different levels of experience. The three levels were:

- *A high level of experience.* This level of experience made the location attractive as a destination; a place where people were comfortable to gather and socialize; a set of design features that not only support the mode of travel but also created a unique sense-of-place that made being there a joyful experience worth remembering and repeating.
- *An average level of experience.* This level provided an experience that would be typical and expected of a well-designed and well-maintained suburban streetscape in which people may socialize but without creating a unique sense-of-place.
- *A low level of experience.* This level of experience would meet only the basic functional requirements for safe movement without any appealing attributes for socializing along the street.

## LOCATING EXPERIENCES

For each mode, each of these levels are appropriate at particular locations. A low level of experience does not necessarily mean that it is a poor level of experience. A high level of experience does not necessarily mean it is good. Placing a low level of experience where a high level of experience would generate significant desirable social and economic activity is a poor design decision that results in a poor experience for those expecting a better experience. Similarly, placing a high level of experience where the return on the investment would be low, is a poor design decision that is not prudent or fiscally responsible. It is placing the right level of experience at the right location for the right mode that creates an appropriate transportation corridor.

The committee focused first on defining where high level of experiences should be provided for each mode. They discovered that there was significant overlap between modes. In general, for 66<sup>th</sup> Street, a high level of experience needed be concentrated near the intersections with Vincent, Penn, Lyndale, Nicollet, and Portland avenues, at the interchange with I-35W, between 17<sup>th</sup> and Cedar, and adjacent to parks, particularly Veterans Memorial Park, Wood Lake Nature Center, and Monroe Field. Along Portland

Avenue, high levels of service should be placed at the intersections with 66<sup>th</sup>, 73<sup>rd</sup>, 76<sup>th</sup>, and 77<sup>th</sup> streets and at the interchanges with Crosstown (TH 62) and I-494. Input from the committee and the recommendations for a composite high level of experience are shown on the schematic diagrams below. The ratings were initially determined separately by mode but were later compiled into a single rating. The committee rated only those locations requiring a high level of experience as illustrated on the previously discussed maps of recommended sites for a high levels of experience for pedestrians, bicyclists, and transit users. The following key explains the color coding used on the diagrams.

### KEY TO LOCATION RATINGS

LEVEL OF EXPERIENCE		
High	Average	Not Determined

**Key to Location Ratings.** This table provides a three-tone key for deciphering the schematic tables below. The tables recommend a particular level of experience for each intersection and each segment between intersections on 66<sup>th</sup> Street and Portland Avenue as rated by the Visual Quality Guidelines Committee. A dark shade represents the need for a high level of experience is desired; a light shade, an average level of experience. The location was not shaded if no one on the committee assigned the location a high rating.

## RECOMMENDED LEVEL OF EXPERIENCE BY LOCATION ON 66<sup>TH</sup> STREET

[illegible]

**Recommended Level of Experience by Location on 66<sup>th</sup> Street.** This table provides a tone-coded recommendation for establishing a particular level of experience for each intersection and each segment between intersections on 66<sup>th</sup> Street as rated by the Visual Quality Guidelines Committee. The recommended level of experience shown in the tables was based on the number of members that rated a particular intersection or segment as needing a high level of experience. Those intersections that were less frequently identified by members were recommended to be constructed to an average level of experience. Those that were more frequently identified were recommended to be constructed at a high level of experience.

## RECOMMENDED LEVEL OF EXPERIENCE BY LOCATION ON PORTLAND AVENUE

	TH 62		64th	65th	66th	67th	68th	70th	71st	72nd	73rd	74th	75th	76th	77th	I-494
Transit User																
Pedestrian																
Bicyclist																
Motorist																
Compilation																

**Recommended Level of Experience by Location on Portland Avenue.** This table provides a color-coded recommendation for establishing a particular level of experience for each intersection and each segment between intersections on Portland Avenue as rated by the Visual Quality Guidelines Committee. The recommended level of experience shown in the tables was based on the number of members that rated a particular intersection or segment as needing a high level of experience. Those intersections that were less frequently identified by members were recommended to be constructed to an average level of experience. Those that were more frequently identified were recommended to be constructed at a high level of experience.

## SELECTING DESIGN ELEMENTS

Different modes of travel require different design elements to support the desired level of experience. The following design guidance is divided by mode and subdivided by level of experience. First to be defined are the design elements that contribute to the pedestrian experience, followed by the experience of bicyclists, transit users, and finishing with motorists. High level experiences are discussed first, then average and low experiences.

Each experience is supported by a set of selected design elements. Each design element can be considered as contributing to a person's experience in one of five manners as defined in the key illustrated below. The key is color-coded. Green explains which elements must be included to achieve a particular level of experience. Blue indicates which will enhance that experience. Gold defines which are acceptable but only meet the minimum requirements. Red warns that the use of that element will detract from the desired level of experience. Blank (white) suggests that the design element is optional but is typically not associated with that level of experience.

KEY TO ELEMENT RATINGS
Element basic to this Level of Experience rating
Element optionally used to enhance this Level of Experience rating
Element used to minimally achieve this Level of Experience rating
Element detrimental to this Level of Experience rating
Element optional or not typically associated with this Level of Experience rating

## PEDESTRIAN EXPERIENCE

The pedestrian experience is a collection of three distinct types of facilities: sidewalks, crosswalks, and supporting facilities. To achieve a particular level of experience, it is essential that all three facilities operate at the same level. The following table defines

which elements of a pedestrian sidewalk, crosswalk, or support facilities should be included or avoided to achieve a particular level of experience.

It is also essential to recognize that pedestrian facilities must accommodate a wide range of ages and mobility. The design of sidewalks, crosswalks, and support facilities must be aware of the unique requirements for accessibility needed by their users, particularly if a vulnerable population, such as might be present near schools, clinics, or senior housing and accommodated accordingly.

### ***Pedestrian Sidewalks***

<b>Pedestrian Sidewalks</b>			
<b>ELEMENT</b>	<b>LEVEL OF EXPERIENCE</b>		
	<b>High</b>	<b>Average</b>	<b>Low</b>
<b>Sidewalk Width</b>			
Sized for 2 People Walking			
Sized for 3-4 People Passing			
Sized for Retail/Café Use			
Sized for Joint Use with Bicycles			
<b>Sidewalk Buffer</b>			
Buffered by tree lawn			
Buffered by pavement			
Buffered by barrier			
<b>Sidewalk Canopy</b>			
Trees			
Awnings			
Arbors			
<b>Sidewalk Concrete Pavement</b>			
<b>Color</b>			
Uncolored			
Colored Monochrome			
Colored Highlights			
<b>Texture</b>			
Smooth			
Light Rake			
Exposed Aggregate			
Stamped			
<b>Scoring (Saw Cut Joints)</b>			
Uniform Panel Size			
Panel Size Varied			
<b>Artistic Impressions</b>			
Visual			
Word			

#### **ELEMENT RATINGS**

Element basic to this Level of Experience

Element optionally used to enhance this Level of Experience

Element used to minimally achieve this Level of Experience

Element detrimental to this Level of Experience

Element optional or not typically associated with this Level of Experience

Sidewalks are the basic design element of the pedestrian experience. The design of sidewalks includes many specific design elements which vary with the level of experience that the sidewalk is meant to convey to its users.

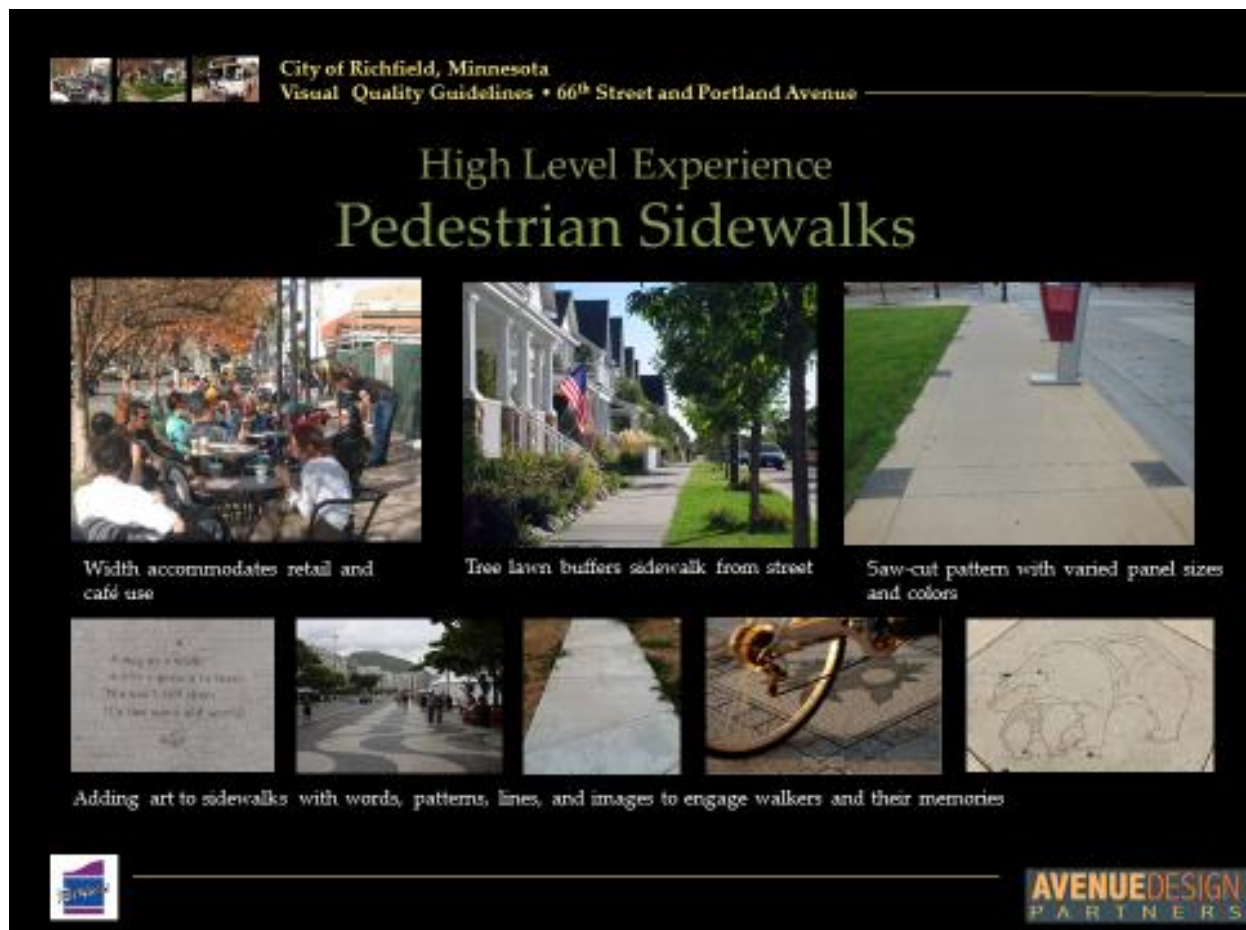
Sidewalks that have a *high level of experience* typically occur in commercial areas and are:

- Typically wide enough to support a major transit stop, an outdoor café, or retailers displaying merchandise out in front of their stores (12 to 20 or more feet).
- At a minimum, they must be wide enough to comfortably support two groups of three people passing each other (12 feet).
- Buffer pedestrians from the street by a tree lawn (optimally 10 feet or more to ensure tree viability) or sometimes by a barrier.
- A barrier could be a row of planters or other built features that protect the walker from errant vehicles. Sometime the walkway is simply buffered by a strip of pavement between the sidewalk and the street that differs in color, texture or scoring from the pavement of the walkway.
- The walkway itself must be smooth to facilitate universal use. Joints are saw-cut, rather than tooled, to eliminate bumps in the surface that can inhibit mobility for some people.
- The joints of a high experience sidewalk typically do not create uniform panels but rather a variety of different panel sizes that fit together like an interesting tile pattern on a floor.
- Panels may be colored in whole or color may be used as an attractive highlight on selected panels.
- Outside the walkway, color and texture may accent other features, such as an amenity zone (area for benches, signs, planters, etc.); carriage walk (area next to the curb used for loading and unloading passengers) or buffer next to a building.
- Artistic images can be impressed into the concrete to create a unique identity and add to the high level of experience for the pedestrian.
- A high experience sidewalk includes a canopy, usually trees, or sometimes awnings or an arbor.

Sidewalks that have an *average level of experience* are typically connect high experience commercial areas:

- Wide enough for two or three people to pass two other people (10 feet). Optionally it may be sized for joint use by bicycles.
- Typically be buffered by a row of trees (optimally 10 feet or more to ensure tree viability), although it may be optionally enhanced by other types of buffers.
- Trees are essential, although awnings may be used, to provide a canopy.
- The use of uncolored smooth pavement is typical with smooth monochromatic pavement acceptable.
- Various types of texturing is optional, particularly to demarcate different zones of use, such as planting zones or carriage ways.
- Scoring into uniform panels is acceptable, although varying the panel size or adding artistic impression into the concrete are options which enhance the average experience.





**Design Elements that provide a High Level Experience for Pedestrian Sidewalks.** These are images of the types of design elements that are being recommended for those locations that require sidewalks with a high level of experience.

Sidewalks that have a *low level of experience* are typically used only where foot traffic is primarily lone individuals or small groups. This occurs primarily from residential districts to commercial districts. Sidewalks with a low level of experience still require:

- A width sufficient for two people walking together and passing one other person (8 feet is recommended).
- Buffered by a tree lawn from the roadway.
- It is made of plain smooth, uncolored concrete, with saw-cut uniform panels.
- All other treatments are optional enhancements.

## Pedestrian Crosswalks

Pedestrian Crosswalks			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>General Location</b>			
Corners			
Mid-block			
<b>Materials</b>			
Same as roadway			
Differing from roadway			
<b>Striping</b>			
Standard Zebra			
2 strip			
No marking			
Artistic			
<b>Reducing Distance</b>			
Bump-outs			
Medians			
Minimum			
Wide			
Very Wide			
Channelized Orientation			
Roundabouts			
<b>Safety Signals</b>			
Standard ADA Semaphores			
Ped-Crossing Signs			
School Crossing Signs			
In-Street Lights			
Flashing Signals (RRFB)			
Overhead Flashers			
Pedestrian Activated			
Pedestrian Priority Phasing			
<b>Street Crossing</b>			
<b>Minor Cross Streets</b>			
Unmarked			
Marked			
<b>Major Cross Streets</b>			
Unmarked			
Marked			

### ELEMENT RATINGS

Element basic to this Level of Experience

Element optionally used to enhance this Level of Experience

Element used to minimally achieve this Level of Experience

Element detrimental to this Level of Experience

Element optional or not typically associated with this Level of Experience

Crosswalks are another basic design element of the pedestrian experience. Crosswalks provide predictability for both the pedestrian crossing the roadway and those traveling along the roadway. The design of crosswalks includes many specific design elements which vary with the level of experience that the crosswalk is meant to convey to its users.

Crosswalks that have a *high level of experience* typically occur in high-demand commercial or recreational areas and are:

- Marked with standard zebra striping or unique artistic striping. To reduce maintenance, the zebra stripes should be positioned to avoid tire wear. Artistic striping could be permanent or temporary (for an event) and should add significantly to the uniqueness of the location.
- Roadway or pedestrian lighting should be positioned to illuminate the pedestrian in crosswalk and allow the driver to adequately see a pedestrian approaching and crossing the roadway.
- Passively or actively activated by pedestrian, recessed-in-the-roadway, crosswalk warning lights and flashing warning signs at crossings. Optionally add overhead flashing lights at mid-block crossings.
- Mid-block crossing should be considered where blocks are long and walking to a corner creates unacceptable walk times for pedestrians who would then likely engage in risky behavior and cross the roadway at an unmarked crossing.
- Allocating space for corner and mid-block bump-outs is to receive preference over accommodating ancillary traffic movements (including lanes for turning or parking) in most instances.
- Wide medians, 10 feet or wider, are necessary for creating the necessary space for an adequately-sized and therefore comfortable, pedestrian refuge. A median that is less than 6 feet is not sufficiently wide for accommodating wheel chairs and is never acceptable regardless of the desired level of experience. Medians wider than 6 feet but under 10 feet do not provide sufficient width for a high level of experience but may be adequate for average or low levels of experience.
- Channelizing the orientation of pedestrians walking through a median so that they are looking ahead at on-coming traffic is a preferred method for improving crossing safety.
- Roundabouts should be used at all intersections where a high level of experience is desired. Roundabouts reduce the wait time for crossing since pedestrians have priority and if properly designed significantly reduce the number and severity of pedestrian crashes with motorized vehicles.
- Signalizing the roundabouts to facilitate pedestrian movement is optional if warranted by the crossing experience.
- Pedestrian activated standard ADA semaphores and pedestrian priority phasing are necessary for a high level of pedestrian experience at signalized intersections and may be preferred by some pedestrians at roundabouts.
- School crossing signs are mandatory regardless of level of experience.



## High Level Experience Pedestrian Crosswalks



AVENUEDESIGN  
PARTNERS

**Design Elements that provide a High Level Experience for Pedestrian Crosswalks.** These are images of the types of design elements that are being recommended for those locations that require crosswalks with a high level of experience.

Crosswalks that have an *average level of experience* typically connect residential areas or minor commercials with residential areas and are:

- Marked with standard zebra striping with stripes positioned to avoid tire wear.
- Roadway or pedestrian lighting should be positioned to silhouette the pedestrian in crosswalk and allow the driver to adequately see a pedestrian approaching and crossing the roadway.
- Passively or actively activated by pedestrian, recessed-in-the-roadway, crosswalk warning lights and flashing warning signs at all crossings.
- Corner bump-outs are to be included wherever needed and practical to accommodate pedestrian use.
- Medians wider 6 feet or wider are needed to accommodate an average level of experience. A median that is less than 6 feet is not sufficiently wide for accommodating wheel chairs and is never acceptable regardless of the desired level of experience.
- Channelize the orientation of pedestrians walking through a median so that they are looking ahead at on-coming traffic is a preferred method for improving crossing safety.

- Pedestrian activated standard ADA semaphores and pedestrian priority phasing are necessary for an average level of pedestrian experience at signalized intersections.
- School crossing signs are mandatory regardless of level of experience.

Crosswalks that have a *low level of experience* typically connect residential areas with other residential areas and are:

- Marked with two line striping on all crossings of arterial and collector roadways. Marking the crossing of local roadways is optional.
- Roadway or pedestrian lighting should be positioned to illuminate the pedestrian in crosswalk and allow the driver to adequately see a pedestrian approaching and crossing the roadway.
- Passively or actively activated by pedestrian, recessed-in-the-roadway, crosswalk warning lights and flashing warning signs at all crossing.
- School crossing signs are mandatory regardless of level of experience.

### ***Pedestrian Support Facilities***

<b>Pedestrian Support Facilities</b>			
<b>ELEMENT</b>	<b>LEVEL OF EXPERIENCE</b>		
	<b>High</b>	<b>Average</b>	<b>Low</b>
<b>General Architectural Character of Contributing Elements</b>			
Contemporary			
Historic			
<b>Pedestrian Lighting</b>			
Type			
Richfield Standard Light Pole			
Corridor Unique Light Pole			
Bollard			
Miniature Festive			
<b>Banners</b>			
No Banners			
With Banners			
Commercially Made			
Community Made			
<b>Hanging Flower Baskets</b>			
No Baskets			
With Baskets			
<b>Drinking Fountains</b>			
Utilization			
People			
Pets			
Water Bottles			
<b>Orientation</b>			
User Facing Street			
User Back to Street			
User Side to Street			

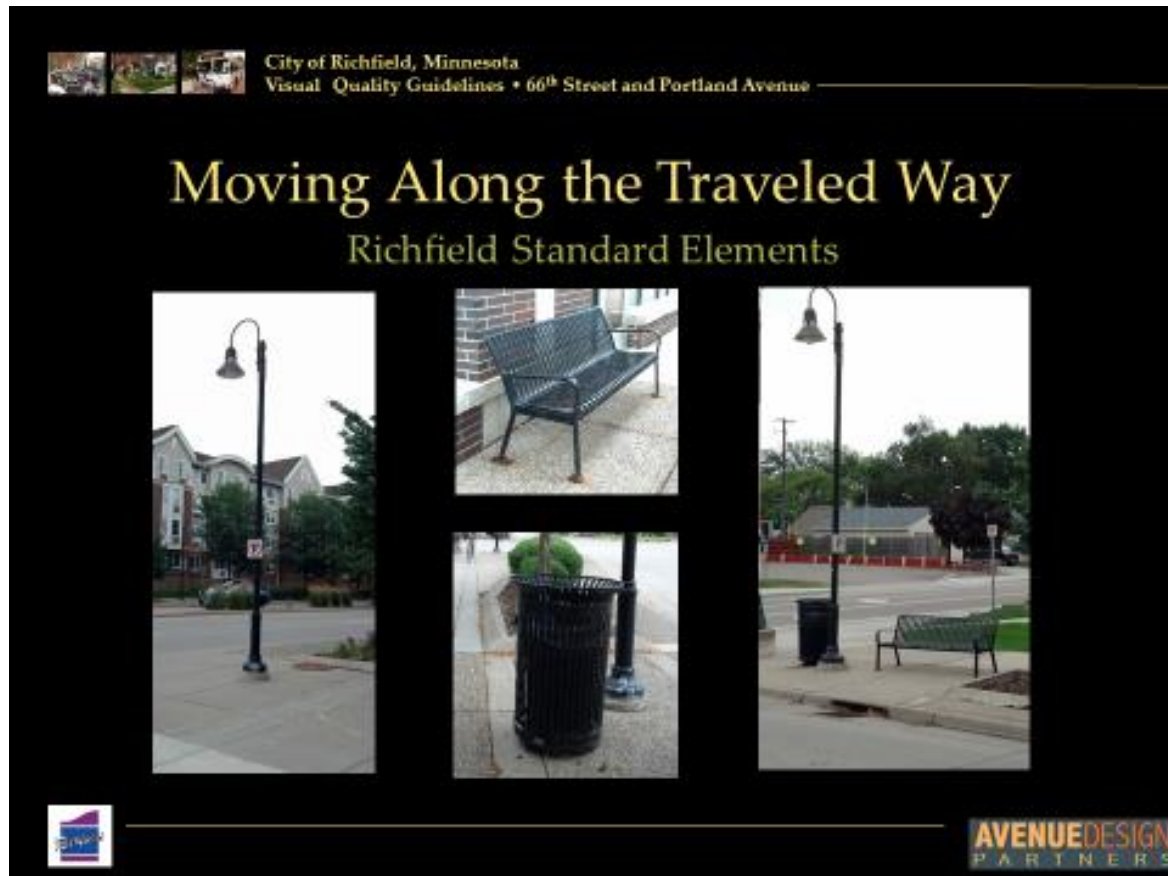
<b>ELEMENT RATINGS</b>
Element basic to this Level of Experience
Element optionally used to enhance this Level of Experience
Element used to minimally achieve this Level of Experience
Element detrimental to this Level of Experience
Element optional or not typically associated with this Level of Experience

Pedestrian Support Facilities			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>Waste Receptacles</b>			
Type			
Standard Richfield			
Corridor Unique			
Recycling			
<b>Seating</b>			
Type			
Richfield Standard Bench			
Corridor Unique Bench			
Form			
Without Back			
With Back			
Orientation			
Avoiding Contact			
Encouraging Contact			
User Facing Street			
User Back to Street			
Purpose			
Resting			
Viewing			
<b>Tables</b>			
Type			
Fixed			
Moveable			
Form			
Chairs			
Benches			
Purpose			
Eating			
Working			
Socializing			
Games			
<b>Tree Grates</b>			
Standard			
Artistic			
<b>Utility Box Covers</b>			
Standard			
Artistic			
<b>Flags</b>			
On Poles			
On Lights			
<b>Raised Planters</b>			
Sidewalk			
Median			

ELEMENT RATINGS
Element basic to this Level of Experience
Element optionally used to enhance this Level of Experience
Element used to minimally achieve this Level of Experience
Element detrimental to this Level of Experience
Element optional or not typically associated with this Level of Experience



The committee examined a range of architectural character for pedestrian support facilities from those that are contemporary to those that are historically influenced. There was no preferred character except that it should be coordinated with the adjacent structures and the existing elements. The use of the standard Richfield elements, particularly for lighting, waste receptacles, and benches were to be preferred regardless of the level of experience.



**Standard Design Elements used by the City of Richfield.** These are images of three standard design elements frequently used by the city—a standard light, bench, and trash receptacle. It is recommended that these elements be used where necessary regardless of the recommended level of experience.

Variations to the three standard design elements include:

- **Lighting:** Unique light poles or fixtures may be substituted for the standard lighting as desired by the city. Lighted bollards may be used in locations as approved by the city as not restricting maintenance activities. The use of uplighting or miniature lights (small twinkling ornamental lights) to accent trees or arbors can be used to enhance the pedestrian experience and create a unique sense of place.
- **Benches:** Unique benches may be substituted for the standard benches as desired by the city. Seating using a back is preferred. A similar bench without a back is to be preferred where the orientation of the person seating could be in either direction. The orientation of a group of benches should encourage conversations. The users' faces should be oriented to entrances, approaching people, or some



visually interesting object. Benches may be used for resting, viewing, eating, or socializing. Moveable chairs may be substituted for benches. The use of privately-supplied benches with advertising, especially of local businesses, can be compatible with the goals for visual quality in the corridors.

- *Waste Receptacles:* Unique waste receptacles may be substituted for the standard receptacles as desired by the city. Receptacles should be placed strategically where litter is likely to be generated—near where items are likely to be discarded—storefronts, intersections, or transit stops, for example. There needs to be receptacles for both waste and recycling. Recycling receptacles need to be adjacent to waste receptacles.

In addition to the three standard elements, other design elements that would contribute to a *high level of experience* include:

- Banners, flags, and flower baskets hanging from roadside lights. Banners can be commercially made or hand-crafted by members of the community (school children, for example). It is particularly appropriate to place flags near government owned facilities, such as parks or civic buildings.
- Drinking fountains for people, pets, and water bottles.
- Tables may fixed but moveable tables are for an average level of experience but should be moveable for a high level experience. Tables may have chairs or benches, either of which could be fixed or moveable. For a high level of experience, moveable tables and chairs are preferred and chairs are to be preferred over benches. Tables may be used for a variety of reasons from eating, working, socializing to playing games
- Design elements that are usually utilitarian, such as tree grates and utility box covers, should be artistically addressed in high experience areas.

In addition to the three standard elements, other design elements that would contribute to an *average level of experience* include:

- Banners, flags and flowers hanging from roadside lights.
- A drinking fountain for people is optional enhancement.
- Seating is an optional enhancement but needs to be included if the closest seating is more than one long block away or 2 short blocks away in either direction. Seating walls are acceptable substitutes for seating.
- Strategically placed receptacles for waste and recycling are an enhancement option for average experience locations.
- Extend the artistically addressed tree grates into average experience areas that connect high experience areas.
- Add utility box covers similar to those used in high experience areas.

In areas with a *low level of experience*:

- Locate the three standard design elements (lights, benches, and trash receptacles) as necessary to support pedestrians, bicyclists, transit users, and motorists, as necessary.
- Add utility box covers similar to those used in high experience areas.
- No other pedestrian support facilities are needed for areas of low experience.



## High Level Experience Pedestrian Support Facilities



Encourages Contact



Provides Flexibility



Promotes Interactive Games



Socially Connected



Ensures a Safe Refuge



Reflects  
Community  
Aspirations



Asserts Life's  
Tenacity and  
Vibrancy



Celebrates Human  
Achievement



Encouraging low  
impact exercise



Kiosks communicating  
important information



Adding visual continuity by  
delineating transitions



Vegetative canopy  
providing protection



Creating visual order with  
trees



Utilitarian objects creatively used as  
an artistic canvas



Water  
fountains also  
serving pets



**Pedestrian Support Facilities which contribute to a High Level Experience for Pedestrians.** These are images of the types of design elements that are being recommended for those locations that require a high level of experience for pedestrians

## BICYCLIST EXPERIENCE

Bicycle facilities are composed of those that support movement and those that support storage. Moving includes both on-street and off-street facilities. At a minimum, if no other facility is available, on-street facilities are required (and legally required) for any level of experience. Storage of bicycles includes both parking and rental opportunities.

Bicycle Facilities			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>Routing</b>			
On-Street			
Unmarked (Wider Lanes)			
Sharrows or Signed			
Lanes Marked			
Buffered Lanes			
Separated (Cycle Track)			
Off-Street			
Parallel Street			
Shared Trail (with Peds)			
Separate Trail (from Peds)			
<b>Intersections</b>			
Semaphore Controlled			
Bicycle Detection			
Bike Box for turns			
Roundabouts			
"Take a lane"			
Exit to sidewalk			
<b>Parking</b>			
Standard Bike Racks			
Artistic Bike Racks			
Bike Lockers			
<b>Rental</b>			
Privately Run (Nice Ride)			
Public (Parks & Rec)			

### ELEMENT RATINGS

Element basic to this Level of Experience

Element optionally used to enhance this Level of Experience

Element used to minimally achieve this Level of Experience

Element detrimental to this Level of Experience

Element optional or not typically associated with this Level of Experience

For a *high level of experience* bicycle facilities need to provide:

- For on-street facilities, buffered bicycle lanes are preferred. Marked lanes are also acceptable as a minimal design. Unmarked lanes or lanes with sharrows would not be acceptable. A separated bicycle track would be optional enhancement.
- For off street facilities, either a shared trail with pedestrians or a trail separated from pedestrians is acceptable. A trail on a parallel street is an acceptable minimum option.
- Marking the bikeway through intersections (such as the use of a "bike box") could be an optional enhancement that would need to be evaluated for its effectiveness on a case by case basis for both high level and average level of experience.

- A device to detect the presence of a bicyclist can increase compliance with semaphore signalization, enhancing the experience of the bicyclist.
- The use of a well-designed roundabout improves bicycle performance and is to be preferred over signalized intersections. It is critical that bicyclist have the option of staying in an on-street lane and “take a lane” in the roundabout or are able to exit to a separate marked crossing for bicycles (which may be shared with pedestrians).
- Parking is critical and needs to be placed appropriately in a convenient location for users. Standard bicycle racks are a minimal requirement. In high experience areas, artistic bicycle racks should be used and bike lockers are considered an enhancement.
- Being able to rent bicycles gives greater flexibility for modal choice. Privately run or publically run facilities, especially if associated with parks, are both viable.



**Bicycle Facilities which contribute to a High Level Experience for Bicyclists.** These are images of the types of design elements that are being recommended for those locations that require a high level of experience for bicyclists.

For an *average level of experience* provide the same experience as a high level bicycle facility as optional enhancements except as noted below:

- For on-street facilities, marked lanes are a typical minimal design. Lanes with sharrows would be acceptable in select locations. Unmarked lanes would still not be acceptable.
- For off street facilities, a parallel street is an acceptable option.
- Intersections, including roundabouts, should be handled the same as routes with a high level of experience.
- Parking is still critical and needs to be placed appropriately in a convenient location for users. Standard bicycle racks are, however, typical.

For a *low level of experience* bicycle facilities should provide:

- Bicycle facilities with a low level of experience should be provided only on residential roadways.
- For on-street facilities, either unmarked lanes or sharrows are acceptable. With sharrows preferred for more traveled (cars or bikes) routes, especially if the route is a designated parallel route for a major street.
- Intersections, including roundabouts, should be handled the same as routes with a high level of experience.

## **TRANSIT USER EXPERIENCE**

The experience of transit users is related primarily to bus stops, their type, safety and security, and comfort. It is also dependent of being able to access reliable real-time information on the status of service—including information on schedule, fares, and anticipated arrivals. Several other services, primarily providing intermodal connections, are critical to making a transit facility experience acceptable.

In Richfield, bus stops are the only transit facilities in the city. There are three types of stops: those with just a sign; those with a standard shelter; and those with a unique shelter. Security is critical regardless of the level of experience. Visibility from the road and surrounding areas is necessary. Consequently, lighting is necessary to ensure adequate visibility at night.

For a *high level of experience*, transit facilities need to provide:

- A standard bus shelter is the minimum acceptable type of bus stop. An architecturally pronounced and architectural unique and beautifully landscaped shelter is more desirable, however. The shelter should provide shade in summer, heat in winter.
- The bus stop needs to include benches, trash and recycling receptacles.
- A drinking fountain is a desirable enhancement.
- Route maps and schedules, printed or electronic, are also desirable enhancements with real time arrival times preferred.
- Orientation maps to the surrounding community is a desirable enhancement
- If problems emerge, panic buttons and cameras may be added to improve the situation.
- The ability to pre-pay for boarding is an optional enhancement that contributes to a high level of experience.

- Artistic bike racks and bike lockers are preferred features.  
Bike rentals, taxi stands, and “kiss and ride lots” raise the level of experience

Transit Facilities			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>Bus Stops</b>			
Type			
Sign			
Standard Shelter			
Unique Shelter			
<b>Safety and Security</b>			
Visibility from Road			
Lighting			
Panic Buttons			
Cameras			
<b>Comfort</b>			
Bench			
Trash Receptacle			
Shade			
Heat			
Drinking Fountain			
<b>Bus Schedule</b>			
Map and Times			
Electronic			
Pre-Boarding Fares			
<b>Other Bus-Related Services</b>			
Bike Racks			
Orientation Maps			
Bike Lockers			
Bike Rentals			
Taxi Stand			
Kiss and Ride Parking Lot			

ELEMENT RATINGS
Element basic to this Level of Experience
Element optionally used to enhance this Level of Experience
Element used to minimally achieve this Level of Experience
Element detrimental to this Level of Experience
Element optional or not typically associated with this Level of Experience

For an *average level of experience*, transit facilities need to provide:

- A standard bus shelter is preferred with a stop only designated by a sign stop sign acceptable. A unique shelter is optional.
- All other aspects of a high level of experience are optional enhancements for an average level of experience and should be employed based on community need on a case-by-case basis.
- Drinking fountains, electronic displays of information, bike rentals, taxi stands, and “kiss & ride lots” are typically not included in areas with average levels of experience.





## High Level Experience Transit Facilities



AVENUEDESIGN  
PARTNERS

**Transit Facilities which contribute to a High Level Experience for Transit Users.** These are images of the types of design elements that are being recommended for those locations that require a high level of experience for transit users.

For a *low level of experience*, transit facilities need to provide:

- A bus stop with a sign that is adequately visible and lit for safety.
- It may optionally include benches and trash receptacles.
- It should provide shade, typically with adjacent trees.
- Printed route maps and schedule should be provided.

### MOTORIST EXPERIENCE

The experience of motorists is directly dependent on the design of center medians, the availability of parking, and the proliferation of signs. Other design elements that affect the motorist experience are discussed as part of the community character elements or the experiences of pedestrians, bicyclists, or transit users.

For a *high level of experience*, facilities for motorized vehicles need to provide:

- Wide (10 feet or more) landscaped medians. Narrow medians less than 6 feet are not acceptable and are detrimental to a high level of experience.
- Parking is necessary to access buildings on adjacent property. On-Street parking, either parallel or angled is acceptable and is advantageous for buffering pedestrians from the street. Off street parking must have a green buffer for a high



level of experience and is preferred for all other levels of experience. A fence is considered a minimal response to a need to mask parked vehicles and the parking lot itself.

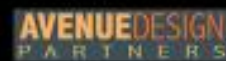
- Wayfinding with directional signs is critical and needs to be coordinated throughout the city along with community gateways, and any destination markers. Fortunately, the city and the Richfield Chamber of Commerce are organizing a branding effort that could be used for the wayfinding, gateway, and destination marker strategy. The committee identified the need to mark the entrances to the community.
- Advance signs announcing the cross street improve traffic management by facilitating necessary lane adjustments.
- Along 66<sup>th</sup> Street a community gateway may be most logically placed at Vincent Avenue on the west and Cedar Avenue on the east. For Portland Avenue, gateways at Crosstown and I-494 make the most sense.
- The committee also felt that destination markers at key commercial nodes and at entrances to parks would enhance the experience of motorists. In particular, it was noted that there are many parks along 66<sup>th</sup> Street that could be contributing to the community's image currently go un-noticed.

Motorized Vehicle Facilities			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>Medians</b>			
Narrow (less than 6')			
Medium			
Wide (10' or more)			
<b>Parking</b>			
On-Street Parallel			
Off-Street			
Green Buffer			
Fence Buffer			
<b>Signs</b>			
<b>Directional</b>			
Upcoming Roads			
Thru Lanes			
Turn Lanes			
Roundabout Use			
<b>Informational</b>			
Wayfinding			
Gateways			
Destination Markers			

ELEMENT RATINGS
Element basic to this Level of Experience
Element optionally used to enhance this Level of Experience
Element used to minimally achieve this Level of Experience
Element detrimental to this Level of Experience
Element optional or not typically associated with this Level of Experience



## High Level Experience Motorized Vehicle Facilities



**Motorized Vehicle Facilities which contribute to a High Level Experience for Motorists.** These are images of the types of design elements that are being recommended for those locations that require a high level of experience for motorists.

For an average level of experience, facilities for motorized vehicles need to provide similar design elements that a high level of experience require except:

- A green buffer for off-street parking may be optional if not having one is allowed by zoning regulations. A fence as a buffer would still be required even without zoning requirements.
- Wayfinding signs would enhance the experience but gateway and destination markers would not be required.

For a low level of experience, facilities for motorized vehicles need to provide a level of experience similar to that given to areas with an average level of experience except:

- Narrow medians (under 6 feet) may be acceptable in locations where pedestrians are not crossing the road.
- Wayfinding is not necessary since most traffic is local

## COMMUNITY EXPERIENCE

It is the nature of the collective community experience that reflects on Richfield's quality of life. Vegetation in particular is critical, as is stormwater management, access to parks, opportunities to perform, public art, and dissemination of community news. These elements which collectively contribute to the community's character need to be orchestrated. Foremost is the vegetation seen along the roadways. At a minimum, regardless of level of experience, boulevard trees are necessary. They should be primarily deciduous trees planted regularly spaced in rows, or occasionally as random or geometric groves.

For a *high level of experience* or as desirable options for an *average level of experience*, the character of the community needs to provide:

- Regularly spaced boulevard trees are necessary. They should be primarily deciduous trees planted regularly spaced in rows, or occasionally as random or geometric groves.
- For accent, smaller ornamental or coniferous (evergreen) trees can be planted in selected, very visible locations.
- Perennial flowers are required accents with annual flowers a desirable option.
- Festive miniature lights can highlight these trees in seasonally or all year round.
- To facilitate improvements to water quality and reduce the volume and velocity of storm runoff, a series of rain gardens should be included in the planting scheme.
- Directing people to the several parks adjacent to county roads can be accomplished with signs but providing visual access or a gateway monument would be more effective.
- Locations for public art would provide a distinctive identity to nodes and corridors. The art could be permanent or temporary; it could move or stay stationary. Regardless, it should express the vitality of the community.
- Understanding the activities and events that are happening in the community through notices on kiosks or from newspapers is a traditional way of establishing community. As information technology evolves, it may be increasingly important to provide electronic versions of these in public spaces.
- At a minimum WiFi should be available wherever people will be congregating.

For a *low level of experience* deciduous canopy trees are still necessary with conifers being an optional design element.

Another element that contributes significantly to the character of Richfield's public spaces is public art. It is essential that as final design in these corridors is developed with advice from the City's Art Commission. They will be included in identifying locations for art to be incorporated into the streetscape plans.

Community Character Elements			
ELEMENT	LEVEL OF EXPERIENCE		
	High	Average	Low
<b>Vegetation</b>			
Trees			
Planting Pattern			
Boulevard			
Groves			
Types			
Deciduous			
Canopy			
Ornamental			
Coniferous			
Shrubs			
Planting Pattern			
Rows			
Mass			
Types			
Deciduous			
Coniferous			
Flowers			
Types			
Annuals			
Perennials			
Location			
Curbside			
R/W Line			
Median			
<b>Stormwater Management</b>			
Rain Gardens			
<b>Park Extensions</b>			
Wayfinding			
Visual Access			
Gateway			
<b>Performance Stages</b>			
Planned			
Opportunistic			
<b>Public Art</b>			
Permanent Sculpture			
Static			
Kinetic			
Temporary Installations			
<b>News</b>			
Community Kiosk			
Newspaper Vending			
Electronic Connectivity			

ELEMENT RATINGS
Element basic to this Level of Experience
Element optionally used to enhance this Level of Experience
Element used to minimally achieve this Level of Experience
Element detrimental to this Level of Experience
Element optional or not typically associated with this Level of Experience



**Community Character Elements.** Roadways are public space. How they look and the activities they support will define if Richfield remains an attractive place for people to live, work, and recreate.

## Summary

The Visual Quality Guidelines Committee has created a framework for creating corridors with an appropriate level of visual quality for all of Hennepin County's roads in the City of Richfield. For 66<sup>th</sup> Street and Portland Avenue, it has identified where a high level of experience is required and where an average level will suffice. It is the request of the City of Richfield that the final designers of these corridors implement these ideas, transforming a concept into plans that will realize the vision the community has of itself.

These guidelines have identified the benefits associated with improvements to county roads within the City of Richfield. The costs of constructing these improvements will be shared between Hennepin County and the City of Richfield. The costs for maintaining these elements will be shared between the city and adjacent property owners as determined during final design on a project by project basis.





**STAFF REPORT NO. 7**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Elizabeth Finnegan, Civil Engineer  
DEPARTMENT DIRECTOR REVIEW: Mike Eastling, Public Works Director  
OTHER DEPARTMENT REVIEW: None  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of ratification of Change Order 2 in the amount of \$99,592.00 and Change Order 3 in the amount of \$30,288.00 to Belair Builders, Inc. for the Taft Lake/Legion Lake Water Quality Improvement Project.**

**EXECUTIVE SUMMARY:**

City Council ordered the Taft Lake/Legion Lake Water Quality Improvement Project on February 12, 2013. The Council approved the Contract and Change Order 1 for construction of Phase 1 with Belair Builders, Inc. on June 10, 2014 for a reduction of \$115,220 to the contract. Phase 1 reached substantial completion in November of 2014.

Work to be done in 2015 includes:

- Phase 2- flocculation system at Taft Lake
- Phase 3- native buffers at Legion Lake

Change Order No. 2 (\$99,592)- The following additional work was performed:

- modifications in-field to the infiltration system.
- adjustments to the electrical system to allow the controls to function as part of the City's Supervisory Control and Data Acquisition (SCADA) system.
- removal and hauling of concrete debris from unseen underground conditions.

Change Order No. 3 (\$30,288)- The following additional work, initially part of Phase 2 of the project, was performed in preparation for the 2015 flocculation system installation:

- modification to lift station
- modification to control panel for sludge
- replacement of storm sewer
- installation of two manholes along effluent pipe

**RECOMMENDED ACTION:**

**By Motion: Ratify two change orders to Belair Builders, Inc. as approved by staff.**



- Change Order 2- to include in-field modifications, SCADA system upgrades and extra concrete debris removal and hauling for an added cost of \$99,592.00
- Change Order 3- to include work initially part of Phase 2 of the Taft Lake/Legion Lake Water Quality Improvement Project for an added cost of \$30,288.00

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

- The City Council Approved the ordering of the project on February 12, 2013.
- The Contract for construction with Belair Builders, Inc. was approved on June 10, 2014.
- Change Order 1 was approved on June 10, 2014. The change order reduced the contract by \$115,220.
- The construction of Phase 1 reached substantial completion in November of 2014.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- Change orders over \$100,000 require Council approval.

C. **CRITICAL TIMING ISSUES:**

- These decisions were made as construction progressed and the final costs were not available until work was completed.
- Delays in making these decisions were not timely due to the construction schedule.

D. **FINANCIAL IMPACT:**

- Change Order No. 1 (\$99,592) and Change Order No. 2 (\$30,288) will be funded by the Minnehaha Creek Watershed District via City General Obligation Bond.
- Cost Summary:

Original Contract Amount=	\$915,947.00
Change Order 1=	(\$115,220.00)
Change Order 2=	\$99,592.00
Change Order 3=	<u>\$30,288.00</u>
Current Contract Amount=	\$930,607.00

E. **LEGAL CONSIDERATION:**

- The City Attorney will be available to answer questions.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council may choose not to ratify the staff approved Change Orders at this time, however the work has been completed and the contractor is expecting payment for these items.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Change Order No. 2	Contract/Agreement
<input type="checkbox"/>	Change Order No. 3	Contract/Agreement

## CHANGE ORDER NO. 2

DECEMBER 5, 2014

TAFT LAKE/LEGION LAKE WATERSHED WATER QUALITY  
IMPROVEMENT PROJECT  
CITY PROJECT NO. 41005  
CITY OF RICHFIELD, MN  
WSB PROJECT NO. 1532-47

## OWNER:

CITY OF RICHFIELD  
6700 PORTLAND AVENUE  
RICHFIELD, MN 55423

## CONTRACTOR:

BELAIR BUILDERS, INC.  
2200 OLD HIGHWAY 8 NW  
NEW BRIGHTON, MN 55112

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN THE CONTRACT DOCUMENT DESCRIPTION:

ADD LINE ITEMS 52, 53, 54, 55, 56, AND 57.

IT IS UNDERSTOOD THAT THIS CHANGE ORDER INCLUDES ALL ADDITIONAL COSTS AND TIME EXTENSIONS WHICH ARE IN ANY WAY, SHAPE, OR FORM ASSOCIATED WITH THE WORK ELEMENTS DESCRIBED ABOVE.

## CHANGE IN CONTRACT PRICE:

ORIGINAL CONTRACT PRICE:	\$915,947.00
PREVIOUS CHANGE ORDERS: NO. 1	-\$115,220.00
CONTRACT PRICE PRIOR TO THIS CHANGE ORDER:	\$800,727.00
NET INCREASE OF THIS CHANGE ORDER:	\$99,592.00
CONTRACT PRICE WITH ALL APPROVED CHANGE ORDERS:	\$900,319.00

## CHANGE IN CONTRACT TIME:

ORIGINAL CONTRACT TIME:	9/1/2014
NET CHANGE FROM PREVIOUS CHANGE ORDERS:	30 days
CONTRACT TIME PRIOR TO THIS CHANGE ORDER:	10/1/2014
NET INCREASE OF CHANGE ORDER:	26 days
CONTRACT TIME WITH APPROVED CHANGE ORDERS:	11/6/2014

## RECOMMENDED BY:

  
PETER R. WILLENBRING, PE, PROJECT MANAGER

WSB & ASSOCIATES, INC.  
ENGINEER

## APPROVED BY:

  
CONTRACTOR SIGNATURE

BELAIR BUILDERS, INC.  
CONTRACTOR

## APPROVED BY:

CITY ENGINEER

DATE

CITY MANAGER

DATE

**CHANGE ORDER NO. 2 DETAIL**

TAFT LAKE/LEGION LAKE WATERSHED WATER QUALITY  
IMPROVEMENT PROJECT  
CITY PROJECT NO. 41005  
CITY OF RICHFIELD, MN  
WSB PROJECT NO. 1532-47

**DECEMBER 5, 2014****ADDED ITEMS**

Item No.	Mat. No.	Description	Qty	Unit	Price	Extended Amount
52		VALVES & VALVE MANHOLES	1	T & M	\$27,400.00	\$27,400.00
53		ELECTRICAL SYSTEM ADJUSTMENTS AND INSTALLATION	1	T & M	\$31,240.00	\$31,240.00
54		8" PVC SLEEVE UNDER CMP	1	T & M	\$810.00	\$810.00
55		TAFT OUTFLOW ALIGNMENT BEND	1	T & M	\$3,654.00	\$3,654.00
56		EXTRA ROCK FOR LEGION TRENCHES	473	TON	\$32.92	\$15,573.00
57		CONCRETE DEBRIS HANDLING & REMOVAL	1	T & M	\$20,915.00	\$20,915.00

**TOTAL ADDED ITEMS CHANGE ORDER NO. 2****\$99,592.00****TOTAL ADJUSTMENT TO ORIGINAL CONTRACT AMOUNT****\$99,592.00**

**CHANGE ORDER NO. 3**

**TAFT LAKE/LEGION LAKE WATERSHED WATER QUALITY  
IMPROVEMENT PROJECT  
CITY PROJECT NO. 41005  
CITY OF RICHFIELD, MN  
WSB PROJECT NO. 1532-47**

**December 5, 2014****OWNER:**

**CITY OF RICHFIELD  
6700 PORTLAND AVENUE  
RICHFIELD, MN 55423**

**CONTRACTOR:**

**BELAIR BUILDERS, INC.  
2200 OLD HIGHWAY 8 NW  
NEW BRIGHTON, MN 56112**

YOU ARE DIRECTED TO MAKE THE FOLLOWING CHANGES IN THE CONTRACT DOCUMENT DESCRIPTION:

ADD LINE ITEMS 58, 59, 60, 61, 62, 63, AND 64.

IT IS UNDERSTOOD THAT THIS CHANGE ORDER INCLUDES ALL ADDITIONAL COSTS AND TIME EXTENSIONS WHICH ARE IN ANY WAY, SHAPE, OR FORM ASSOCIATED WITH THE WORK ELEMENTS DESCRIBED ABOVE.

**CHANGE IN CONTRACT PRICE:****CHANGE IN CONTRACT TIME:**

ORIGINAL CONTRACT PRICE:	\$915,947.00	ORIGINAL CONTRACT TIME:	9/1/2014
PREVIOUS CHANGE ORDERS: NO. 1 , NO.2	-\$15,628.00	NET CHANGE FROM PREVIOUS CHANGE ORDERS:	30 days
CONTRACT PRICE PRIOR TO THIS CHANGE ORDER:	\$900,319.00	CONTRACT TIME PRIOR TO THIS CHANGE ORDER:	11/6/2014
NET INCREASE OF THIS CHANGE ORDER:	\$30,288.00	NET INCREASE OF CHANGE ORDER:	5 days
CONTRACT PRICE WITH ALL APPROVED CHANGE ORDERS:	\$930,607.00	CONTRACT TIME WITH APPROVED CHANGE ORDERS:	11/13/2014

**RECOMMENDED BY:****APPROVED BY:**

  
PETER R. WILLENBRING, PE, PROJECT MANAGER

  
CONTRACTOR SIGNATURE

WSB & ASSOCIATES, INC.  
ENGINEER

BELAIR BUILDERS, INC.  
CONTRACTOR

**APPROVED BY:**

CITY ENGINEER

CITY MANAGER

DATE

DATE

**CHANGE ORDER NO. 3 DETAIL****TAFT LAKE/LEGION LAKE WATERSHED WATER QUALITY IMPROVEMENT  
PROJECT****December 5, 2014****CITY PROJECT NO. 41005  
CITY OF RICHFIELD, MN  
WSB PROJECT NO. 1532-47****ADDED ITEMS**

Item No.	Mat. No.	Description	Qty	Unit	Price	Extended Amount
58		DISC ANCHORING AT LEGION NORTH TO REPLACE BLANKET	1	T & M	\$4,374.00	\$4,374.00
59		MODIFICATION TO CONTROLS FOR SUCTION HEAD LIFT STATION (LEGION)	1	T & M	\$7,804.00	\$7,804.00
60		TAFT STORM SEWER FIELD JOINT	1	T & M	\$1,310.00	\$1,310.00
61		PLACE AERATION CASINGS UNDER TRAILS AT TAFT	1	T & M	\$680.00	\$680.00
62		MODIFICATION TO TAFT CONTROL PANEL FOR SLUDGE	1	T & M	\$5,180.00	\$5,180.00
63		TAFT STORM SEWER REPLACEMENT	1	T & M	\$4,117.00	\$4,117.00
64		INSTALL 2 MHS ALONG 12" EFFLUENT PIPE AT TAFT	1	T & M	\$6,823.00	\$6,823.00

**TOTAL ADJUSTMENT TO ORIGINAL CONTRACT AMOUNT****\$30,288.00**



**STAFF REPORT NO. 8**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Betsy Osborn, Support Services Manager  
DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Public Safety Director  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the issuance of a new On Sale Wine license for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.**

**EXECUTIVE SUMMARY:**

On October 29, 2014, the City received the application materials for a new On Sale Wine license for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies. All required information and documents have been received. All licensing fees have been paid.

Davanni's Pizza and Hot Hoagies currently holds a 3.2 Percent Malt Liquor license. They are requesting a On Sale Wine license to enable them to serve strong beer and wine.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the issuance of a new On Sale Wine license for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are not delinquent.
- Proof of liquor liability insurance coverage has been provided showing West Bend Mutual affording the coverage. Workers' compensation insurance has also been supplied.

As a result of this being a new request for an On Sale Wine license, there is no need for an accountant's statement regarding the food/alcohol ratio. Davanni's Pizza and Hot Hoagies did hold a Wine license at a different location in Richfield, over twenty years ago. The license was dropped due to lack of wine sales.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the background investigation report. None of the information in the report would cause the Public Safety Director to recommend denial of the requested license.

On Sale Wine licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.



There are no distance requirements to notify neighbors of the issuance or renewal of On Sale Wine licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on January 1, 2015.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

Richfield City Code Section 1202 requires owners of On Sale Wine establishments to comply with all the provisions of both City Code and State Statues.

C. **CRITICAL TIMING ISSUES:**

There are no critical timing issues.

D. **FINANCIAL IMPACT:**

The required licensing fees have been received.

E. **LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.


**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain an On Sale Wine license.
- Schedule the hearing for another date; however, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Melissa Morrissette, General Manager

**ATTACHMENTS:**

Description	Type
 Summary of Background Investigation and Public Safety Contacts - Davanni's	Backup Material

## SUMMARY OF BACKGROUND INVESTIGATION FOR DAVANNI'S, INC. D/B/A DAVANNI'S PIZZA AND HOT HOAGIES

### Officer(s):

Robert John Stupka – President  
Gladstone McKinly Stenson – CEO  
Kristina Stenson Silva – Co-Owner  
Katherine Jane Stenson – Co-Owner

### Criminal History:

Criminal history checks were conducted on the applicants. There were no adverse entries or convictions that would prevent them from holding or being party to a wine license.

### Premises:

The property is owned by Rich D, LLC and is leased to Davanni's Inc. The applicant has provided a copy of the rental agreement.

### Record of Service Calls:

There were three service calls for the preceding year, when they held only a 3.2 Percent Malt Liquor license. A breakdown of these contacts is attached to this report.

### Violations:

The most recent violation for the sale of alcohol to underage youth with Davanni's Pizza and Hot Hoagies was 2007.

### Routine Information:

On-sale wine licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owner of the establishment.

There are no distant requirements to notify neighbors of the issuance of new on-sale wine licenses.

The notice of Public Hearing was published in the Richfield Sun Current on January 1, 2015.

## DAVANNI'S PIZZA AND HOT HOAGIES

### Directors and Officers

Robert John Stupka	President
Gladstone McKinly Stenson	CEO
Kristina Stenson Silva	Co-Owner
Katherine Jane Stenson	Co-Owner

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## PUBLIC SAFETY CONTACTS

January 2014 through December 2014

Davanni's Pizza and Hot Hoagies

<b><u>TOTAL CONTACTS</u></b>	<b><u>2014</u></b>
	<b>3</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>3</b>
Incidents (see bottom of page for specifics)	(3)
Alarm	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>(0)</b>
Assists	(0)
Traffic	(0)
Inspections/Licensing	(0)
Medical/Fire	(0)

The criminal contacts from January 2014 through December 2014 were: one welfare check, one suspicious person and one alarm.

(Numbers in parenthesis are included in total contact figures.)



**STAFF REPORT NO. 9**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Melissa Poehlman, City Planner  
DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the second reading of an amendment to the City's Zoning Ordinance and a Resolution approving summary publication of said ordinance. The proposed amendment will clarify and enhance regulations related to uses with drive-up window or teller service in the Mixed Use Districts.**

**EXECUTIVE SUMMARY:**

City staff continually monitors and notes areas of the Zoning Code that may require revision. Staff has noted, and discussed with the Council in the past, some seemingly contradictory language in the regulations related to "freestanding" versus "multi-tenant" buildings with drive-thrus in the Mixed Use Districts. The proposed ordinance eliminates these terms and requires that all uses with drive-thrus address the pedestrian and circulation items listed. The ordinance also proposes additional standards related to new uses with drive-up or teller service. As discussed with the Council earlier this year, the proposed changes are intended to help implement the pedestrian and bike friendly goals of the Comprehensive Plan by limiting the intensity and frequency of drive-thru service.

- A minimum distance (500 feet) will be required between substantially-similar uses with drive-up or teller service in order to prevent a proliferation of any one type of use in a particular area.
- Non-similar uses with drive-up service may not locate on property adjacent to an existing facility with drive-up service unless the applicant can demonstrate that the use will not be detrimental to pedestrian, bicycle or vehicle movements.
- The maximum number of queuing lanes shall be reduced from two to one and limitations on the size, location and design of order facilities have been added.
- Language allowing the City to consider an additional service lane for ATMs and similar facilities is included.
- Current regulations allow drive-up service for stand-alone buildings so long as the facilities are designed to minimize impacts to the pedestrian environment and adequately address circulation. Regulations have been amended to require that all drive-up service providers address these issues, not just those in single-tenant buildings.
- Language has been added that encourages drive-up service providers to allow bicyclists to utilize those facilities.

**RECOMMENDED ACTION:**

**By motion:**

- 1. Approve the ordinance amending Subsection 537.05, Subdivision 5 and Subsection 541.21, Subdivision 3 of the Richfield City Code related to uses with drive-up window or teller service in the Mixed Use Districts.**
- 2. Approve the resolution authorizing summary publication of an ordinance amending Subsection**

**537.05, Subdivision 5 and Subsection 541.21, Subdivision 3 of the Richfield City Code related to uses with drive-up window or teller service in the Mixed Use Districts.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT:**

The Mixed Use Districts are specifically intended to provide greater pedestrian and bicycle access and connections, and to discourage auto-oriented uses. The proposed regulations are intended to balance the desire for convenience-service with the desire for safe and walkable mixed use areas. There are five existing businesses in the Mixed Use Districts that offer drive-up service of some kind (Arby's, Taco Bell, Richfield-Bloomington Credit Union, CVS and The Bank of the Lakes).

- Richfield-Bloomington Credit Union and Arby's are currently legally nonconforming (number of queuing lanes, number of service windows, circulation). This will continue to be the case under the proposed regulations.
- Both CVS and Taco Bell received variances related to one or more aspects of their drive-thrus that do not meet current requirements. These uses are therefore considered conforming. CVS would be made legally non-conforming in regard to the number of service lanes if this ordinance were to be adopted.
- The drive-up service window at The Bank of the Lakes is and will remain in compliance with proposed regulations.

**B. POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- Legally non-conforming uses can remain in place indefinitely.
- Legally non-conforming buildings can be replaced or repaired and in some instances even expanded in the Mixed Use Districts.
- In instances where the full text of an amendment is cumbersome and the expense of publication of the full text is not justified, the City is permitted to publish a summary of the approved text.

**C. CRITICAL TIMING ISSUES:**

None

**D. FINANCIAL IMPACT:**

None

**E. LEGAL CONSIDERATION:**

- A public hearing was held before the Planning Commission on November 24, 2014.
- Notice of the public hearing was published in the Sun Current newspaper in accordance with City and State requirements.
- No members of the public spoke at the public hearing.
- The Planning Commission recommended approval of the proposed ordinance (4-1, Vizecky dissenting).
- A first reading of the ordinance was approved on December 9, 2014.

**ALTERNATIVE RECOMMENDATION(S):**

- Direct staff to modify the proposed ordinance.
- Reject the proposed ordinance.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description

Type

- Ordinance
- Resolution

- Ordinance
- Resolution Letter

BILL NO. \_\_\_\_\_

AMENDMENT TO RICHFIELD CITY CODE

SUBSECTION 537.05, SUBDIVISION 5 AND  
SUBSECTION 541.21, SUBDIVISION 3  
RELATED TO  
USES WITH DRIVE-UP WINDOW  
OR TELLER SERVICE IN THE  
MIXED USE DISTRICTS

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1                      Subsection 537.05, Subdivision 5 of the Richfield City Code is amended to read as follows:

**Subd. 5.** Restaurant Class III or Drive-Up Window or Teller Service. Uses with drive-up window or teller service provided the following conditions are met:

a) A minimum distance of 500 feet must be maintained between substantially similar uses with drive-up window or teller service (as measured from property line to property line);

b) Uses with drive-up window or teller service may not be located adjacent to a property with an existing drive-up window or teller service unless an applicant can demonstrate that the use will not be detrimental to pedestrian, bicycle or vehicle movements;

ac) No drive-up window or lane shall be adjacent to a public street;

~~bd)~~ Drive-up uses shall be limited to one (1) service window which is part of a primary structure and ~~no more than two (2)~~ a single queuing lanes, ~~unless approved along with additional landscaping, screening, or other improved pedestrian amenities such as fencing, seating, raised pedestrian crossings, etc.; and order board/station;~~

(i) The content portion of order boards is limited to 40 square feet;

(ii) Order board content may not extend above 8 feet in height on the supporting structure;

(iii) Order boards/stations must be located within 60 feet of the business which they serve.

e) The City may consider one additional service lane for Automated Teller Machines (ATMs) or similar facilities;

~~ef)~~ Drive-up ~~must be part of a multi-tenant mixed-use development. Freestanding buildings shall not have drive-up facilities unless they are~~ must be designed to minimize impacts to the pedestrian environment and adequately address circulation issues and potential noise or light pollution;

g) Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing;



- dh)** There shall be no curb cuts on public streets exclusively for the use of drive-up queuing or exit lanes. Drive-up traffic shall enter and exit from internal circulation drives;
- ei)** Queuing space for at least 4 cars (70 feet) shall be provided ~~per drive-up service lane~~ as measured from, but not including, the first drive-up service window or teller station. Such queuing space shall not interfere with parking spaces or traffic circulation;
- fi)** Any drive-up service window, teller or order station, or exterior loudspeaker shall be located at least 150 feet from any parcel with residential uses on the first floor;
- gk)** The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections;
- l)** The City shall encourage operators to permit bicyclist use of sales and service windows;
- hm)** Alcoholic beverages shall not be served; and
- in)** Exterior speakers shall comply with the noise control limits set by Subsection 930 of the City Code.

Sec. 2                      Subsection 541.21, Subdivision 3 of the Richfield City Code is amended to read as follows:

**Subd. 3.** Applicable regulations. The regulations of the underlying Mixed-Use Community (MU-C) District shall apply with the following additions and exceptions:

- a) Uses.** All permitted, accessory, conditional and interim uses allowed in the MU-C District are allowed in the PAC District with the following additions, qualifications and/or exceptions:

Table 1

Uses in the Penn Avenue Corridor Overlay District

**Note** – The following abbreviations are used within the use table:

P = Permitted use

A = Accessory use

C = Conditionally permitted

N = Not permitted

Use	PAC
Regional retail services	P
Auto mechanical or body repair shops	N
Auto detailing	N
Dwelling, townhouse (min. density 6 du/acre)	P
Dwelling, multifamily (min. density 6 du/acre)	P
Live-work units (min. density 6 du/acre)	P
Transit facilities or municipal parking lots	P

**b)** Uses not listed. Any land use not listed as Permitted, Accessory or Conditional in this subsection or other referenced subsections is prohibited in the Penn Avenue Corridor Overlay District unless the use is found to be substantially similar to a use listed, as determined by the City in accordance with Subsection 509.23 of this Code.

~~**c)** Conditional uses. All conditions applicable in the MU-C District, as found in Subsection 537.05 of this code, apply in the PAC District with the following additions, qualifications and/or exceptions:~~

~~**(i)** Restaurant Class III or Drive-Up Window Teller Service. In addition to the rules governing drive-up window or teller service in the underlying MU-C District, a minimum distance of 150 feet must be maintained between such facilities in the PAC District (as measured from property line to property line).~~

**dc)** Bulk and dimensional standards. All bulk and dimensional standards applicable in the MU-C District, as found in Subsection 537.07 of this code, shall apply in the PAC District with the following additions, qualifications and/or exceptions:

**(i)** The minimum two-story building requirement prescribed in Table 2 of Subsection 537.07 does not apply within the PAC District.

**(ii)** The maximum number of building stories in the PAC District shall be eight (8) stories.

**(iii)** A mix of uses, as prescribed by Subsection 537.07, Subd. 2(b) is not required within the PAC District.

**ed)** Other Performance Standards. All additional performance standards applicable in the MU-C District, as found in Subsection 537.11 of this code, shall apply in the PAC District with the following additions, qualifications and/or exceptions:

**(i)** The above-ground parking ramps orientation requirement described by Subsection 537.11, Subd. 6(d) does not apply in the PAC District.

**(ii)** The open space requirement described by Subsection 537.11, Subd. 8 does not apply in the PAC District.

Sec. 3                      This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

2015                      Passed by the City Council of the City of Richfield, Minnesota this 13th day of January,

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Debbie Goettel, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE  
AMENDING SUBSECTION 537.05, SUBDIVISION 5 AND  
SUBSECTION 541.21, SUBDIVISION 3  
RELATED TO  
USES WITH DRIVE-UP WINDOW OR TELLER SERVICE IN THE  
MIXED USE DISTRICTS**

**WHEREAS**, the City has adopted the above referenced amendment of the Richfield City Code; and

**WHEREAS**, the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION  
BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SUBSECTION 537.05, SUBDIVISION 5  
AND SUBSECTION 541.21, SUBDIVISION 3  
RELATED TO USES WITH DRIVE-UP WINDOW OR  
TELLER SERVICE IN THE  
MIXED USE DISTRICTS**

This summary of the ordinance is published pursuant to Section 3.12 of the Richfield City Charter.

This ordinance revised rules related to the form and function of drive-thru facilities in the Mixed Use Districts. The Mixed Use Districts are intended to “promote greater pedestrian and bicycle access and connections” and to “discourage auto oriented uses in favor of pedestrian friendly mixed-use development.” The ordinance establishes minimum separation distances between uses with drive-thru facilities, reduces the number of permitted queuing lanes, establishes size and design standards for ordering stations and encourages operators to allow bicycles to utilize drive-thru facilities.

Copies of the ordinance are available for public inspection in the City Clerk’s office during normal business hours or upon request by calling the Department of Community Development at (612) 861-9760.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

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Debbie Goettel, Mayor

ATTEST:

---

Elizabeth VanHoose, City Clerk



## **STAFF REPORT NO. 10**

### **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY:

Melissa Poehlman, City Planner

DEPARTMENT DIRECTOR REVIEW:

John Stark, Community Development Director

OTHER DEPARTMENT REVIEW:

N/A

CITY MANAGER REVIEW:

Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the second reading of an amendment to the City's Zoning Ordinance and a resolution approving summary publication of said ordinance. The proposed ordinance would amend the way in which the City administers odor control requirements for commercial kitchens.**

### **EXECUTIVE SUMMARY:**

In 2014 the Council was asked to consider two appeals related to enforcement of odor control requirements for commercial kitchens. As a result of these appeals, the current language was determined to be vague and inadequate. Based on past experiences in administering odor control requirements, reaction from businesses and residents (past and present), and recent discussions with the City Council, staff is suggesting that odor control be addressed in the Code as follows:

**New** restaurants that utilize equipment requiring a Type 1 Ventilation Hood and are located on sites abutting or within 150 feet of existing residential properties, shall install professionally-designed odor control remedies.

**New** restaurants that utilize equipment requiring a Type 1 Ventilation Hood and are located on sites abutting or within 150 feet of future residential development, shall provide plans for a professionally-designed odor control remedy and a statement by a structural engineer that the building design could accommodate the planned odor control and associated screening in the future. Subsequent complaints of odor impacts may result in the requirement that the planned odor control device be installed.

**Pre-existing** restaurants that are augmenting cooking equipment and/or increasing odor emissions and that are located on sites abutting or within 150 feet of either existing or future residential development, shall be required to follow the same regulations as new restaurants abutting future residential development (above).

**Administrative Exemptions:** The Community Development Director shall have the authority to exempt uses from meeting these requirements with a written finding that the proposed commercial kitchen is for an institutional (or similar) use that will have limited hours of operation and/or minimal usage.

The rationale for treating pre-existing restaurants or new restaurants adjacent to future residential development differently is because occupants in such situations were aware of the existence, and potential impacts, of the restaurant site in question before they decided to purchase or rent their home.

### **RECOMMENDED ACTION:**

**By motion:**

- 1. Approve the ordinance amending Subsection 544.27 of the City Code related to commercial kitchen odor control.**
- 2. Approve the resolution authorizing summary publication of an ordinance amending Subsection 544.27 of the City Code related to commercial kitchen odor control.**

## **BASIS OF RECOMMENDATION:**

### **A. HISTORICAL CONTEXT:**

Current Code language related to odor control is as follows:

544.27 Environmental Effects. No activity operation shall be established or maintained that by reason of its nature or manner of operation will cause the emission of noise, odor, toxic or noxious fumes, smoke, dust or particulate matter in such concentrations as to be detrimental to or endanger the public health, welfare, comfort or safety, or cause injury to property or business.

Since the fall of 1986, it has been the practice of City staff to interpret this language to imply that emissions from a commercial kitchen with a Type I Ventilation Hood (if required by the Minnesota Building Code) would emit odors to a degree that would be detrimental to the comfort of adjacent residential properties. As such, restaurants using this equipment and adjacent to residential property would either be prohibited or would require some form of mechanical or chemical odor control device. Discussions with former City employees have indicated that this interpretation was based on City Council direction resulting from vocal public objection to the impacts of odor caused by Champps Restaurant.

Recent restaurants that have installed complying odor control devices include: Pizza Luce, Mi Ama, Andale, Lyn65, El Tejeban and, most recently, MyBurger (required as a condition of approval). In the case of Lakewinds Co-op, the adjacent residential is planned, but not yet constructed. In this circumstance, staff required Lakewinds to design an odor control system and to ensure that their building could accommodate that system in the future if there are complaints from future residential neighbors.

At the request of the Planning Commission, staff requested feedback on the existing and proposed regulations from a group of property owners, developers and/or restaurant operators that have proposed, opened or significantly remodeled a restaurant in the City in the last two years. Initially only one of the nine queried businesses responded, so staff followed up with a second request to a couple of survey recipients. Additionally, staff spoke informally to a restaurant developer and representatives of a fast-food franchise. The full text of the written feedback has been provided as an attachment to this report. In general, staff felt that the respondents found the proposed ordinance to be an improvement and that it was a generally fair way to administer this policy.

### **B. POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- City staff, the City Council and the Business Community (as represented by the Chamber of Commerce) all agree that the existing language in the Zoning Ordinance regarding odor control is inadequate and imprecise.
- One of the primary goals of the zoning code is to foster harmonious and workable relationships among land uses.
- In instances where the full text of an amendment is cumbersome and the expense of publication of the full text is not justified, the City is permitted to publish a summary of the approved text.

### **C. CRITICAL TIMING ISSUES:**

None

### **D. FINANCIAL IMPACT:**

None

### **E. LEGAL CONSIDERATION:**

- The City Attorney has advised that an abrupt change in the way in which staff administers the Code as it pertains to odors, without a formal change in policy could lead former applicants to the conclusion that the ordinance is being applied in an arbitrary and capricious manner.
- The City Attorney was involved in drafting the proposed ordinance revision.
- A public hearing was held before the Planning Commission on October 27, 2014.
- Notice of the public hearing was published in the Sun Current newspaper in accordance with City and State requirements.
- Chamber of Commerce President Angie Schaeffbauer spoke against the proposed ordinance.
- The Planning Commission recommended approval of the proposed ordinance (5-0).
- A first reading of the ordinance was approved by the Council on December 9, 2014.



**ALTERNATIVE RECOMMENDATION(S):**

- Direct staff to make changes to the proposed ordinance.
- Reject the proposed ordinance.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
	Ordinance	Ordinance
	Resolution	Resolution Letter
	Comments received	Exhibit

AMENDMENT TO RICHFIELD CITY CODE RELATED TO ZONING

AMENDING SUBSECTION 544.27  
RELATED TO COMMERCIAL KITCHEN  
ODOR CONTROL

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1                      Subsection 544.27 of the Richfield City Code is amended to read as follows:

**544.27. Environmental Effects.** No activity or operation shall be established or maintained that by reason of its nature or manner of operation will cause the emission of noise, odor, toxic or noxious fumes, smoke, dust or particulate matter in such concentrations as to be detrimental to or endanger the public health, welfare, comfort or safety, or cause injury to property or business.

**Subd. 1. Commercial Kitchen Odor Control.** All properties that contain cooking apparatus which necessitates the installation of a Type 1 Ventilation Hood (as required by State Building Code) and which abut (or are located within 150 feet even if not abutting) existing and/or future residential property shall mitigate or otherwise address the impact of odors as follows:

- a) Adjacent to Existing Residential. New restaurant sites abutting or adjacent to existing residential properties shall install professionally-designed odor control remedies;
- b) Adjacent to Future Residential. New restaurant sites abutting or adjacent to future residential development (either as a result of the Comprehensive Plan or an approved development plan) shall provide plans for a professionally-designed odor control remedy and a statement by a structural engineer that the building design could accommodate the planned odor control and associated screening in the future. Subsequent complaints of odor impacts may result in the requirement that the planned odor control device be installed.
- c) Pre-existing Restaurant Sites. Pre-existing restaurant sites abutting or adjacent to either existing or future residential development, which are augmenting cooking equipment and/or intensifying odor emissions, shall follow the requirements of clause b above.
- d) Administrative Exemptions: The Community Development Director shall have the authority to exempt uses from meeting the requirements of this Subdivision with a written finding that the proposed commercial kitchen is for an institutional (or similar) use that will have limited hours of operation and/or minimal usage.

Section 2                      This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

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Debbie Goettel, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE  
AMENDING SUBSECTION 544.27  
RELATED TO COMMERCIAL KITCHEN  
ODOR CONTROL**

**WHEREAS**, the City has adopted the above referenced amendment of the Richfield City Code; and

**WHEREAS**, the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION  
BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SUBSECTION 544.27  
RELATED TO COMMERCIAL KITCHEN  
ODOR CONTROL**

This summary of the ordinance is published pursuant to Section 3.12 of the Richfield City Charter.

This ordinance revises rules related the administration of City odor mitigation measures for new and existing restaurants. In general, new restaurants adjacent to residential properties must install an odor control system; new restaurants adjacent to planned future residential properties and existing restaurants wishing to augment cooking equipment must design and plan for the installation of an odor control system in the event that complaints are received. The ordinance allows the Community Development Director to grant an exemption from these requirements for institutional or similar uses that will have limited hours of operation and/or minimal useage.

Copies of the ordinance are available for public inspection in the City Clerk's office during normal business hours or upon request by calling the Department of Community Development at (612) 861-9760.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January, 2015.

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Debbie Goettel, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

## **Written comments received regarding existing and proposed odor control regulation**

- Automatically requiring the odor control system for any property in any location in Richfield doesn't make sense; in my opinion. Yes, this makes enforcement easier (for City employees/enforcement departments) by having a blanket statement, but it does pose an economic burden on any business coming into Richfield and makes Richfield less competitive against most other municipalities. It is my understanding only Bloomington and Woodbury currently have a blanket control requirement similar to Richfield's. Minneapolis, Edina, Egan, Apple Valley and Saint Paul do not have these requirements to the best of my knowledge.
- A big part of the ordinance issue, (I believe.) deals with the ordinance language. As I understand the language, if Planning Commission or City Council overrides the recommendations of Planning Department, nothing can be done in the future to push a business to install an odor control system. This forces the Planning Commission and Council into taking the path of lowest risk, which then forces a business to either accept the restriction and related costs or pushes them over the City limits to another municipality. I feel the language needs to be changed to encourage the Planning Commission and City Council to take a greater level of risk, allowing the City go after a business if odors become a problem.
- From further discussions with Rick Regnier, the ordinance is not specific to the type of odor control system—this is helpful. Depending on the volume and type of cooking, a business will not need to expend as much capital if a full 'scrubber' system is not required. However, at minimum, the cost will double no matter what system is installed—and in most cases will increase the cost of installing an exhaust system by a factor of four or more times depending on the level of odor control.
- The most difficult question with odor issues is intensity and frequency. This also relates to distance. If one resident complains of cooking smells every time the wind blows from the east is that enough cause to force a business to spend \$40,000 plus dollars or is that part of living in an urban area? I realize this is the toughest question to answer, but flexible boundaries need to be set—this is not a case of one size fits all.
- Finally, I believe all the businesses wanting to locate in Richfield want to be good neighbors. However, if they decide not to come to the City the tax base is reduced and Richfield is a less vibrant City. Vibrant areas all have problems with parking, too much traffic, constant enforcement, waste management and other issues. However, Richfield would probably love to have a destination area similar to Uptown, Grand Avenue, or 50<sup>th</sup> and France, even with the problems. Those areas all had or have less restrictive ordinances on trash, odor control, and parking—but now that the economic engine is in place, additional enforcement is economically feasible.
- I would say that regulation to limit and annoyance of obtrusive smell is justified for residential areas. (that's why hog farms are in rural areas ;-))
- I agree there should be conditions on the new rules, specifically if existing restaurants are adding fries, etc.
- I do not agree that all new restaurants will create odors, thus I believe there should be some criteria on this. Having all new restaurants install a system may be a undue burden on these business's.
- The proposal sounds fair and plausible to me.



## **STAFF REPORT NO. 11** **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Betsy Osborn, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Public Safety Director

OTHER DEPARTMENT REVIEW: None

CITY MANAGER REVIEW: Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Disciplinary hearing and consideration of a resolution regarding civil enforcement for Mi Ama Mexican Grocery & Restaurant, 813 E. 66th St., that recently underwent tobacco compliance checks conducted by Richfield Public Safety staff, and failed by selling tobacco to underage youth.**

### **EXECUTIVE SUMMARY:**

Richfield Public Safety staff conducted a second round of tobacco compliance checks for 2014. These checks are done to determine the availability of tobacco to underage youth and to meet State Statutes. There are currently twenty-six businesses that hold licenses to sell tobacco. Six of these businesses that were checked sold tobacco to an underage person. Five of the six establishments sold tobacco to a minor for the first time and are not required to appear before City Council. The action being taken today is for civil enforcement and penalties against the sixth establishment, Mi Ama Mexican Grocery & Restaurant. This is their second failure within a twenty-four month period.

The establishment will be given an opportunity to either admit that the business made an unlawful sale to a minor and to stipulate to the penalties imposed by the City Council, or deny the allegations and request a contested case hearing.

If they admit to the violation, the Council will adopt a resolution imposing the penalties. If they deny the allegation and request a contested case hearing, the City Council will refer the matter to an independent hearing examiner. They will be notified of the date of the hearing and will be provided the opportunity to present evidence and to rebut the City's evidence.

For second time violators, Public Safety recommends the City Council follow the guidelines set forth in the City ordinance and suspend the license to sell tobacco for two days and pay a \$500 fine. A \$100 reduction will be applied for attending the City Council meeting.

### **RECOMMENDED ACTION:**

**By motion: Approve a resolution regarding civil enforcement for Mi Ama Mexican Grocery & Restaurant, 813 E. 66th St., that recently underwent tobacco compliance checks conducted by Richfield Public Safety staff, and failed by selling tobacco to underage youth.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT:**

On November 22, 2014, Richfield Public Safety staff conducted tobacco compliance checks at 26 establishments in Richfield that sell tobacco. They were assisted by one underage youth who is 15 years old. The businesses that sold tobacco to underage youth are:



- Golden Tobacco, 22 E. 66th St.
- La Vaquita Short Stop Superette, 7034 Cedar Ave So.
- Mi Ama Mexican Grocery & Restaurant, 813 E. 66th St.
- Pump N Munch, 6300 Lyndale Ave. So.
- T&T Automotive, 601 E. 66th St.
- Walgreen's, 12 W. 66th St.

This is a first time failure for Golden Tobacco, La Vaquita Short Stop Superette, Pump N Munch, T&T Automotive and Walgreen's. Their licenses will not be suspended, nor are they required to appear before City Council. They will each, however, be fined \$200.00. Due to the fact that this is a second failure for Mi Ama Mexican Grocery & Restaurant, they are required to appear before City Council.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- It is a violation of Minnesota State Statute and City ordinance to sell tobacco to underage youth.
- Richfield City Code, Section 1146 specifies certain improper conduct of tobacco license holders and delineates the progressive discipline that can be expected when violations occur, such as the sale of tobacco to minors.

C. **CRITICAL TIMING ISSUES:**

Fine and suspension requirements must be met by February 13, 2015.

D. **FINANCIAL IMPACT:**

The fine being recommended at this time is intended to recover 100% of the costs for conducting the compliance checks and to penalize the business punitively.

E. **LEGAL CONSIDERATION:**

Formal complaint charges for the selling of tobacco to an underage person were filed on the person who committed the violation.

**ALTERNATIVE RECOMMENDATION(S):**

The Council may consider taking more or less severe action against the establishment that sold tobacco to underage youth; however, that would deviate from the guidelines set for progressive discipline in City Code 1146.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

A representative from Mi Ama Mexican Grocery & Restaurant is expected to be in attendance at the meeting. They have been notified in writing of this requirement.

**ATTACHMENTS:**

Description	Type
☐ Resolution for Mi Ama Mexican Grocery & Restaurant	Resolution Letter

**RESOLUTION NO.**

**RESOLUTION SUSPENDING THE TOBACCO LICENSE FOR MI AMA MEXICAN GROCERY & RESTAURANT, 813 E. 66<sup>TH</sup> ST., AND IMPOSING A CIVIL PENALTY FOR SECOND TIME TOBACCO COMPLIANCE FAILURE**

**WHEREAS**, Mi Ama Mexican Grocery & Restaurant ("Licensee") holds a license to sell tobacco products within the City of Richfield; and

**WHEREAS**, on November 22, 2014, the City of Richfield Public Safety Department conducted a compliance check of the Licensee's establishment, and during the compliance check, an employee of the Licensee sold tobacco to a minor; and

**WHEREAS**, this is their second failed tobacco compliance check; and

**WHEREAS**, the Licensee appeared before the City Council on January 13, 2015 and admitted the violation and stipulated to the suspension and penalty imposed by this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield as follows:

1. The Licensee's tobacco license is hereby suspended for a period of two (2) consecutive days, commencing on a date to be determined by the Public Safety Director, but to take place within 30 days of their Council appearance.
2. A civil penalty of \$500.00 is hereby imposed. If the licensee attends the City Council meeting, the fine will be reduced by \$100.00 as stated in City ordinance 1146.23. Subd. 1. (f). On or before February 13, 2015, the Licensee shall deliver a check or money order payable to the City of Richfield.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of January 2015.

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Debbie Goettel, Mayor

ATTEST:

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Beth VanHoose, City Clerk



## **STAFF REPORT NO. 12**

### **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Theresa Schyma, Deputy City Clerk

DEPARTMENT DIRECTOR REVIEW: Steven L. Devich

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of designating representatives to serve as the 2015 liaisons to various metropolitan agencies and City commissions.**

#### **EXECUTIVE SUMMARY:**

Members of the City Council serve as the City's representatives on various metropolitan agencies and City commissions. Each year, the City Council appoints these representatives.

#### **RECOMMENDED ACTION:**

**By Motion: Designate City Council liaison appointments to various metropolitan agencies and City commissions for 2015.**

#### **BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

This information is contained in the Executive Summary.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

The City Council considers the designation of liaisons at the first meeting in January of each year.

C. **CRITICAL TIMING ISSUES:**

The City needs representation on metropolitan agencies and commissions.

D. **FINANCIAL IMPACT:**

These designations are at no additional cost to the City.

E. **LEGAL CONSIDERATION:**

None.

#### **ALTERNATIVE RECOMMENDATION(S):**

The City Council could defer the designations to a future City Council meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Liaison appointment list	Backup Material

<b><u>AGENCY</u></b>	<b><u>2014 LIAISON</u></b>	<b><u>2015 LIAISON</u></b>
METRO CITIES	DEBBIE GOETTEL, REP. PAT ELLIOTT; EDWINA GARCIA; TOM FITZHENRY; SUE SANDAHL, ALTS.	
LEAGUE OF MINNESOTA CITIES	DEBBIE GOETTEL, REP. SUE SANDAHL, ALT.	
NOISE OVERSIGHT COMMITTEE	TOM FITZHENRY, REP. PAM DMYTRENKO, ALT.	
TRANSPORTATION COMMISSION	SUE SANDAHL, LIA. TOM FITZHENRY, ALT.	
I-35W SOLUTIONS ALLIANCE	SUE SANDAHL, LIA. PAT ELLIOTT, ALT. MIKE EASTLING, STAFF LIA.	
494 CORRIDOR COMMISSION	SUE SANDAHL, LIA. PAT ELLIOTT, ALT. JEFF PEARSON, STAFF LIA.	
MCWD/NMCWD	DEBBIE GOETTEL PAT ELLIOTT	
PLANNING COMMISSION	PAT ELLIOTT, LIA. DEBBIE GOETTEL, ALT.	
COMM. SERVICES COMMISSION	EDWINA GARCIA, LIA. PAT ELLIOTT, ALT.	
ADVISORY BOARD OF HEALTH	DEBBIE GOETTEL, LIA. TOM FITZHENRY, ALT.	
HUMAN RIGHTS COMMISSION	PAT ELLIOTT, LIA. EDWINA GARCIA, ALT.	
FRIENDSHIP CITY COMMISSION	DEBBIE GOETTEL, LIA. SUE SANDAHL, ALT.	
ARTS COMMISSION	DEBBIE GOETTEL, LIA. SUE SANDAHL, ALT.	
RICHFIELD COMMUNITY HUMAN SERVICES PLANNING COUNCIL	EDWINA GARCIA, REP. DEBBIE GOETTEL, ALT.	
FOWL BOARD	EDWINA GARCIA,, REP. DEBBIE GOETTEL, ALT.	
SOUTHWEST CABLE COMMISSION	PAT ELLIOTT, REP. STEVE DEVICH, REP. SUE SANDAHL, ALT.	
RICHFIELD HISTORICAL SOCIETY	DEBBIE GOETTEL, REP. SUE SANDAHL, ALT.	
RICHFIELD SCHOOL DISTRICT	DEBBIE GOETTEL, REP. PAT ELLIOTT, ALT.	



**STAFF REPORT NO. 13**  
**CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Theresa Schyma, Deputy City Clerk  
DEPARTMENT DIRECTOR REVIEW: Steven L. Devich  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

**ITEM FOR COUNCIL CONSIDERATION:**

**Discussion regarding City Council attendance at the 2015 National League of Cities (NLC) Conferences.**

**EXECUTIVE SUMMARY:**

According to State Statute 471.66, the governing body of cities and school districts must adopt a policy that controls out-of-state travel for elected officials. That policy was adopted by the City Council in November 2005 and stipulates that the City Council must approve, in advance by a motion, attendance at out-of-state conferences.

Information regarding the 2015 conferences is available on their website: [www.nlc.org](http://www.nlc.org).

**RECOMMENDED ACTION:**

**By Motion: Designate Council Member(s) to attend the March 7-11, 2015 NLC Congressional City Conference in Washington, D.C. and the November 4-7, 2014 NLC Congress of Cities and Exposition in Nashville, TN.**

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

The City Council has determined that attendance at the NLC conferences is beneficial to the City's operations and long-range planning efforts.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

This information is contained in the Executive Summary.

C. **CRITICAL TIMING ISSUES:**

It is critical that the City Council remains in the informational loop regarding congressional activities as it relates to federal funds and homeland security issues.

D. **FINANCIAL IMPACT:**

Funds for the City Council to attend the NLC conference(s) are included in the City's 2015 budget.

E. **LEGAL CONSIDERATION:**

None.

**ALTERNATIVE RECOMMENDATION(S):**

- The City Council may want to address this designation prior to each conference.
- The City Council may decline to send delegates.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A

**ATTACHMENTS:**

Description		Type
	Conference record	Backup Material

**COUNCIL MEMBER ATTENDANCE AT NATIONAL CONFERENCES  
2010 - 2015**

<b>CONFERENCE</b>	<b>DATE</b>	<b>LOCATION</b>	<b>ATTENDEES</b>	<b>COST</b>
	<b>2009</b>			
	<b>2010</b>			
NLC Congressional City	March 13-17	Washington, DC	Goettel	None
NOISE	TBD (typically July)	TBD	None	None
NLC Congress of Cities	Nov. 30-Dec. 4	Denver, CO	None	None
	<b>2011</b>			
NLC Congressional City	March 12-16	Washington, DC	Goettel	\$2590
NLC Congress of Cities	Nov.8-12	Phoenix. AZ	Goettel	\$1802
	<b>2012</b>			
NLC Congressional City	March 10-14	Washington, DC	Goettel	\$2230
NLC Congress of Cities	Nov.27 - Dec.1	Boston, MA		None
	<b>2013</b>			
NLC Congressional City	March 9-13	Washington, DC	Goettel	\$2250
NLC Congress of Cities	Nov.13-16	Seattle, WA	Goettel	
	<b>2014</b>			
NLC Congressional City	March 8-12	Washington, DC	Goettel Garcia	\$2911
NLC Congress of Cities	Nov.18-22	Austin, TX	Goettel	\$2000
	<b>2015</b>			
NLC Congressional City	March 3-7	Washington, DC		
NLC Congress of Cities	Nov.4-7	Nashville, TN		





## **STAFF REPORT NO. 14** **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Theresa Schyma, Deputy City Clerk  
DEPARTMENT DIRECTOR REVIEW: Steven L. Devich  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the designation of a Mayor Pro Tempore for 2015.**

#### **EXECUTIVE SUMMARY:**

The City Charter states it is necessary to designate a City Council Member to serve as the Mayor Pro Tempore for those times when the Mayor is absent from the City.

City Council Member At-Large Sue Sandahl served a Mayor Pro Tempore in 2014 and has retired from the City Council.

#### **RECOMMENDED ACTION:**

**By Motion: City Council designation of a Mayor Pro Tempore for 2015.**

#### **BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

This information is contained in the Executive Summary.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- The City Council typically considers the designation of a Mayor Pro Tempore at the first meeting in January of each year.
- Section 2.06. The Mayor. Subdivision 1, of the City Charter states: "The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro temp who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City."

C. **CRITICAL TIMING ISSUES:**

It is necessary to designate a Mayor Pro Tempore to ensure continuation of City operations during an absence of the Mayor.

D. **FINANCIAL IMPACT:**

This designation is at no additional cost to the City.

E. **LEGAL CONSIDERATION:**

None.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could defer the designation to a future City Council meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A



## **STAFF REPORT NO. 15** **CITY COUNCIL MEETING**

**1/13/2015**

REPORT PREPARED BY: Theresa Schyma, Deputy City Clerk  
DEPARTMENT DIRECTOR REVIEW: Steven L. Devich  
OTHER DEPARTMENT REVIEW: N/A  
CITY MANAGER REVIEW: Steven L. Devich

### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the City Council's confirmation of the Mayor's appointment of an Housing and Redevelopment Authority (HRA) Commissioner.**

#### **EXECUTIVE SUMMARY:**

At the November 14, 2011 Special City Council Worksession, the City Council determined that the public's interest is best served by having a composition of two appointed Council Members serve on the HRA and three Mayor-appointed citizens.

City Council Member at-Large Suzanne M. Sandahl was appointed to a five-year HRA term on October 26, 2004 and reappointed to a five-year term on October 13, 2009. City Council Member at-Large Sandahl retired from the City Council on December 31, 2014 and therefore, is not eligible to serve on the HRA for a City Council Member-appointed term.

To ensure a quorum at future HRA meetings, the City Council should make an appointment at tonight's meeting.

#### **RECOMMENDED ACTION:**

**By Motion: Confirm the Mayor's appointment of an HRA Commissioner for a five year term commencing January 13, 2015 and expiring January 13, 2020.**

#### **BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT:**

This information is contained in the Executive Summary.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- Under State law, the Mayor appoints HRA Commissioners subject to confirmation of the City Council.
- The Mayor has indicated an appointment will be made to the HRA for a five year term at the January 13, 2015 City Council Meeting.

C. **CRITICAL TIMING ISSUES:**

- To ensure a quorum at future meetings, the City Council should appoint an HRA Commissioner on

January 13, 2015.

- If the City Council does not approve the Mayor's appointment, a quorum may not be present at future HRA meetings.

D. **FINANCIAL IMPACT:**

This designation is at no additional cost to the City.

E. **LEGAL CONSIDERATION:**

None.

**ALTERNATIVE RECOMMENDATION(S):**

- The City Council could decide not to confirm the Mayor's appointment.
- The City Council could defer the appointment to a future City Council Meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None.